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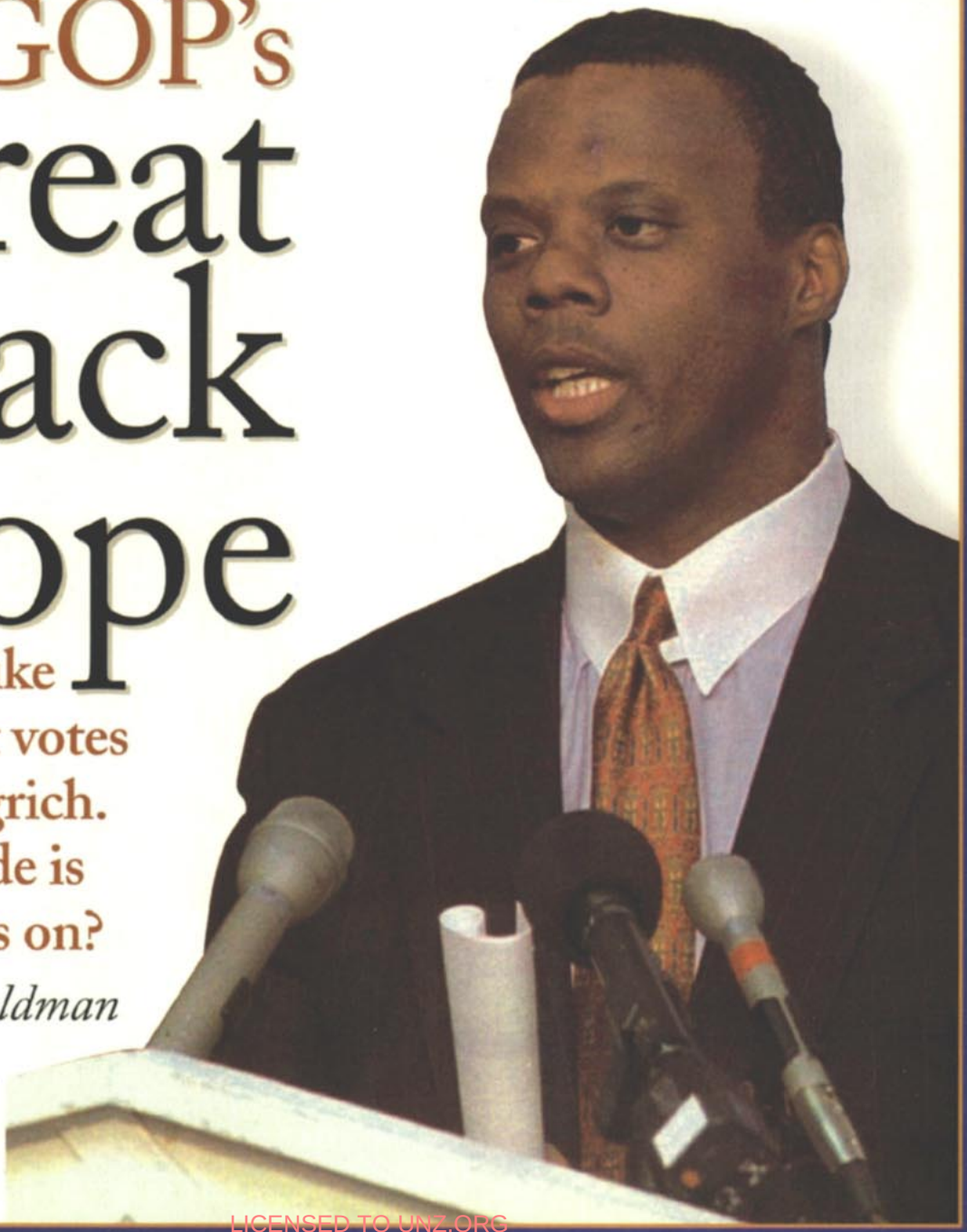
*By Amy Waldman*



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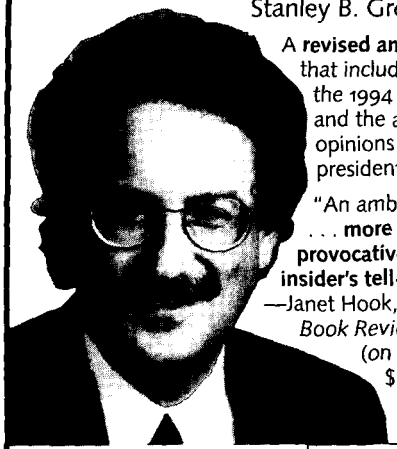

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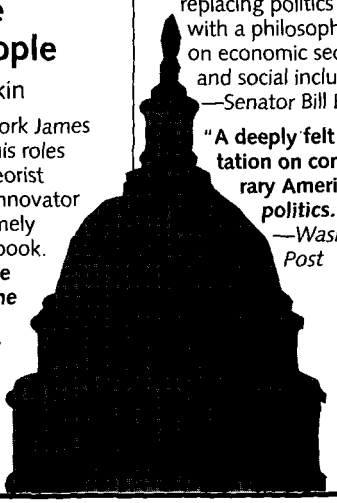

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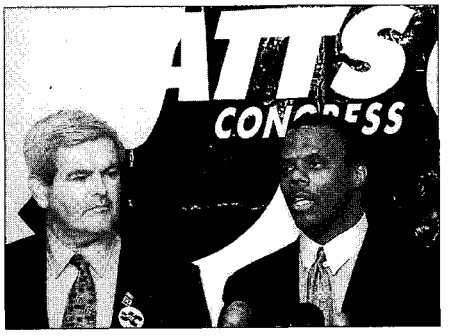


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# Letters

## Et Tu, *Washington Monthly*?

Struck by the cover line of last month's *Washington Monthly*, I read Amy Waldman's exhaustive essay on loyalty in modern politics ("Et tu, Stephanopoule?" September).

Buried several pages in a several-thousand-word article are two debatable but unexceptional sentences about me. Hmmm. What justified the leap from those sentences to the incriminating cover line?

I am loyal, and proud to serve President Clinton. That's why I can't help but take offense when a magazine cover—particularly one with *The Washington Monthly*'s reputation for integrity—goes out of its way to wrongly imply otherwise.

GEORGE STEPHANOPOULOS
SENIOR ADVISER TO THE PRESIDENT
*Washington, DC*

The editor replies: *"Et tu, Stephanopoule?" was intended to be funny. We did not intend to suggest that Stephanopoulos was a major player among White House leakers. But we did mean to say that even the seemingly most loyal of the President's courtiers have, on occasion, joined in the leaking.*

## Kudos to the Opposition

I am really disappointed in your choice to print "Notes of an Opposition Researcher" (July/August). It is obvious from the article that Theresa Everline had no business being an opposition researcher. She had no background in investigations nor real political campaign experience.

In my work as an opposition researcher, unlike Everline, I know who I work for. You have to if you are going to do the job right. Plus, four years working as a paralegal/investigator taught me that you don't string a bunch of random, out-of-context facts together and call it research. Everline's belief that "all issues were malleable and even reversible" would be quickly disproved if she ever went up against a real opposition researcher.

The biggest problem I had with the article was the underlying tone that looking at public records was somehow sneaky and mud-slinging. Peeking into someone's bedroom is sneaky; going down to the local courthouse to look at the deed to their house isn't.

My question to *The Washington Monthly* is: Why is it bad when I do research for a campaign and not bad when you do it for your magazine? Everything that Everline criticized opposition researchers for is present in your article on Bob Dole—"The Best and Worst of Bob Dole." Is there a double standard here?

By the way, the rest of the magazine was great—as usual. I especially enjoyed the article on Bob Dole and the article on pre-approved credit cards. Keep up the good work.

BILL BRANTLEY JR.

## He's Only Human

You were less than your usual fair, thoughtful self when you wrote about Bill Yellowtail, our Democratic candidate for the replacement of Rep. Pat Williams in the U.S. Congress ("Who's Who," July/August).

We all know about the troubles he has had. We also know he has had an impeccable record for 12 years as a senator in the Montana legislature, and an equally exemplary record as regional director of the EPA in Denver from 1993 to this year, when he resigned to run for Congress.

As *Primary Colors* (and common sense) should tell us, it is more important to look at what a candidate cares about and what he does in office than to look at his human frailties (of which we all have our share).

Bill Yellowtail can be a congressman in the Pat Williams mode if we only are able to look at the whole picture. Please look again.

MARY B. VANT HULL
*Bozeman, MT*

## Not the Worst And Dumbest

Well, I've finally had it! After putting up for years with *The Washington Monthly*'s diatribes against federal workers, something this evening snapped, and I had to protest at last. I refer to the latest (July/August) Tilting at Windmills comment about the departure of the "best and brightest" from the civil service. Only worthless dregs (myself included, I suppose) will remain to suck the federal trough dry before they toddle off to highly compensated and undeserved retirement.

I wish you could acknowledge that some of us stay because we believe in what we do, feel honored to be involved in a public purpose, and, yes, have even turned down well-paying jobs in the private sector because they just weren't meaningful.

I agree with many of your proposals; even when I disagree, I find them stimulating and engaging—but I do wish you would take a little of your own advice and talk to some of us civil servants (the worst and dumbest, maybe?). We just might have stimulating, interesting, constructive things to say, too!

MARGHERITA PRYOR
*via America Online*

The editor replies: *I was a federal employee for seven years and know that there are many dedicated and talented people in the civil service. They are my heroes. I seek them out as sources. My point, however, is that there aren't enough of them. If the government is to work as it should, we need to aggressively recruit the best of America's youth for jobs in government.*

## Questions for the Asker

While Morton Mintz made some interesting points in "The Right Questions" (July/August), I have a question for him. Where did he ever get the figures to substantiate his claim that Social Security households of retirees who earn $50,000 a year or more are costing the fund $60 billion annually? I looked up the official government figures, and it appears that Mintz had better check his sources.

In 1993, which is the latest year


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that I could find, there were about 21 million households headed by persons 65 or older. About 10 percent, or 2 million of them, had incomes of $50,000 or more. If *all* of them were on Social Security, which is certainly not true, and if *all* of them were receiving the maximum benefit of about $20,000 per year, which is also not true, they would be receiving an aggregate total of $40 billion per year from the fund. That's a third less than Mintz claims.

SANFORD THIER
*Palos Verdes Estates, CA*

Morton Mintz replies: *My source for the figure was Matthew Miller, who as a former official of the Office of Management and Budget is surely credible. Miller wrote this in the April 15 issue of* The New Republic, *of which he is now a senior editor: "Today, $15 billion in Social Security goes annually to households with annual income of more than $100,000; $60 billion to those with more than $50,000."*

Editor's note: *Miller says he derived the figure from a 1991 National Taxpayers Union analysis, updated for inflation.*

In Morton Mintz's questions for candidates he states that the "corporate tax rate" has fallen from 31 percent in the 1950s to 15 percent currently. These numbers are not correct. In the 1950s the statutory federal tax rate on corporations was 52 percent; today it is 35 percent. Federal taxes as a share of corporate profits in 1956 were 47.4 percent; in 1995 they were 31.3 percent. Those planning to ask questions of candidates ought to have the correct facts at their disposal.

BRUCE BARTLETT
*Alexandria, VA*

Mintz replies: *Corporations accounted for 31 percent of federal general fund tax collections during the 1950s; they account for only 15 percent now. If corporations accounted for 31 percent today, Treasury revenues from them would increase by 250 percent, as I wrote. Bartlett correctly faults me for writing that the corporate tax "rate" fell to 15 percent from 31 percent.*

## Unions' Bum Rap

In "Government's Nine-to-Fivers" (July/August), federal unions are faulted for overzealously representing secretaries who are allegedly poor performers. Since not all managers are infallible, we believe that workers deserve their day in court.

Union stewards do, when necessary, informally counsel employees on ways to improve their performance. And union representatives seldom take weak cases past the lower stages of the appeals process. However, we are proud of the fact that we vigorously represent aggrieved workers. The majority of union grievants are either victims of mistreatment or good workers caught in a bad system.

The article maintains that employees can potentially access five different dispute resolution forums. In fact, employees can, generally, only select one appeal route for a particular problem.

The article cites a manager in the Justice Department's Criminal Division who complains how the "union fought [her] tooth and nail" over the removal of a supposedly poor performer. However, the Justice Department has, for years, fought its employees and their unions "tooth and nail" over establishing a meaningful career enhancement/upward mobility system for lower-graded workers. Further, secretaries in the government are regularly treated with disrespect.

CARL GOLDMAN
COUNCIL OF FEDERAL EMPLOYEES
*Washington, DC*

Amy Waldman replies: *The Merit Systems Protection Board publishes a comprehensive report on the five potential dispute resolution forums government employees can access. As to the point that Department of Justice secretaries are deprived of both opportunity and respect, I agree. In fact, I devoted at least half my piece to showing how the same is true for secretaries throughout the government.*

OCTOBER IS ROOSEVELT (FDR) HISTORY MONTH. For information on events, write: 1250 24th St. NW, Suite 300 Washington, DC 20037. Fax: 202 467-2781 E-mail: FDRHIST@aol.com

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# Tilting at Windmills

BY CHARLES PETERS

*Lamm-Chopped • The CIA's Trivial Pursuit • Lobbying With Love*
*The First Beat • More Convention...Less Talk*

PERHAPS I'M GETTING MORE crotchety—always a possibility when you're a few months from your 70th birthday—but during the August conventions, I found myself growing more impatient than ever with all the network analysts and their usually predictable comments. In the old days you just had to put up with an Eric Severeid for three minutes an hour. Now the commentators dominate the proceedings.

A survey by Public Opinion Strategies suggests that I'm not alone in this feeling. Fifty-three percent of the respondents said they wanted to have more of the convention and less talk from the anchor booths. Only 25 percent wanted more punditry.

So why don't the networks give the conventions a certain amount of time—say, two hours a night—to use as they see fit? We might even get an increase in substance for the convention. They would have more time and they wouldn't have to compete with the experts in the booth, so they would be less tempted to use Christopher Reeve to make sure they are on camera.

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MAUREEN DOWD AND MARY McGrory are such talented writers that I am disappointed that they devoted their columns to ridiculing Dick Lamm when he still had a chance to be the nominee of the Reform Party. As the world goes, Lamm is a pretty good man, willing to face the kind of tough problem that makes the average politician quail. Why hurt him when he was in contest with a paranoid bully, when he still had a chance of winning and making Clinton and Dole face a debate with someone who has more intellectual courage than either of them ever dreamed of having?

It seems to me that *The Economist* came a lot closer than Dowd and McGrory to capturing the significant truth about Lamm. It described him as "the perfect anti-politician—perhaps just the sort of person to pierce Americans' defenses and start delivering the news they don't want to hear."

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WHERE DO BELL ATLANTIC and Washington Gas ask their District of Columbia customers to go to pay their overdue bills? To a company office? No. To a liquor store? Of course, silly—why didn't you get the right answer the first time?

The logic is so compelling. People in the District who are behind in their utility bills are usually poor. Doesn't it make sense to require them to go to a liquor store where they see posters of glamorous people consuming alcohol? District liquor stores also offer their customers the opportunity to participate in city-sponsored gambling, so the poor person who is paying his utility bill can also purchase both liquor and a lottery ticket.

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"WHAT DOES 'CYBER' MEAN, anyway?" Senator Sam Nunn plaintively asked CIA Director John Deutch at a hearing on the possibilities for information warfare.

Deutch wasn't sure, so he said he would get back to Nunn. The next day, according to *Federal Computer Week*, Deutch sent Nunn this letter:

"CIA research revealed that the term 'cybernetics' was coined by the Father of Cybernetics, Norbert Wiener, in 1948. In Mr. Wiener's words, 'We have decided to call the entire field of control and communication theory, whether in the machine or the animal, by the name cybernetics, which we form from the Greek kybernetes or 'steersman.'

"Department of State concurred with CIA's findings but wished to point out that the Greek kybernetes is related to the Latin gubernator, meaning 'steersman' or 'governor.'

"The Defense Intelligence Agency is not yet ready to make a judgment and is exploring the possibility that 'cyber' may have come from the Greek kybisteter or 'diver,' from which we also derive the word 'cyberbister' or 'a genus of large diving beetles.'

"I hope this clears up any confusion."

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"FAT CAT HOTEL" SHOULD BE the new name for the White House, according to the Center for Public Integrity, which recently issued a report alleging that 75 people who had contributed to or raised money for the President or Democratic Party had been overnight guests at the White House. Among those who slept in the Lincoln Bedroom or the Queen's Bedroom were Lew Wasserman, former chairman of MCA, and his wife, who had contributed $450,000, and Steven Grossman, president of Massachusetts Envelope Company, and his wife, who had given $400,000.

I do not take such a harsh view of this practice. Although I would like to get the big money out of politics by limiting contributions to $100, as long as big money is involved I welcome innocent favors to repay the contributors. I would


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much prefer hearing that a Fat Cat had spent the night at the White House than that he had gotten some federal agency to do what he wanted when what he wanted was in conflict with the public interest.

In fact, I would be willing to accept the White House's explanation that it was all innocent if the White House were to produce evidence showing that average citizens were proportionately represented on the overnight guest list.

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HAVING BEEN A CONsistent admirer of the reporting of James Bennet, an alumnus of this magazine who is now covering the political media for *The New York Times*, I was dismayed at a recent story in which he seemed to be making fun of the small-town newspapers and television stations that were treating the President's train stop in their town as a major event. James, it *is* a major event in a small town. I remember when I was five years old and President Herbert Hoover's train visited my hometown in West Virginia. Even though my parents were Democrats, they did not hesitate to take me out of school to see the President.

**Sexual equality is bringing a new lobbying technique to our legislative bodies.**

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PAUL GIGOT CALLED IT "MAWKish" and Doris Kearns Goodwin said "I wouldn't have used it at all." They were talking about Al Gore's story about his sister Nancy's death from lung cancer. I disagree. I found the vice president's words immensely moving and instructive. They may have been especially moving to me because I knew Nancy. I met her in early April of 1961 when she greeted me as I got off an elevator to be interviewed for a job at the Peace Corps. Because Bill Moyers, who was supposed to do the interviewing, was detained on Capitol Hill, I spent most of the day talking to Nancy. We became and remained friends.

One thing we had in common was that we were both chain smokers. I remember that first day I had run out of cigarettes as we were waiting for Bill to arrive and was embarrassed that I had to keep bumming from her.

She had started smoking at 13. I hadn't started until 18. That's probably one reason I was able to quit at age 43 and she never was. The younger you are when you start, the harder it is to quit. That's why Al Gore drew the right lesson from Nancy's death. We have to keep the 13-year-olds from being tempted to smoke.

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ON THE NIGHT that Bill Clinton announced his proposals for FDA regulation of cigarettes, all three network correspondents—ABC, NBC, and CBS—attributed his action to politics. This, of course, is typical of the cynicism that most television reporters and other journalists seem to think proves that they are both independent and wise to the ways of the world. Sometimes, of course, the cynicism is justified. But in many cases, including this one, it does not make much sense.

Consider the state of Virginia, where the last poll taken before the Clinton announcement showed him leading Dole by only 1 percent. The tobacco industry is so powerful there that the state's Democratic senatorial candidate, Mark Warner, immediately felt compelled to dissent from the president's position. And, at the Chicago convention, delegates and officeholders from Virginia's rural areas told John Mercurio of *The Washington Times* that they believed Clinton's anti-tobacco stand "threw away a Democrat's chance to win the state for the first time since 1964." And, if you know anything about the politics of Kentucky and North Carolina, you know the tobacco industry is even stronger in those states.

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I'M INDEBTED TO JACK BOULware of the *San Francisco Weekly* for a quote from the late Melvin Belli, the legendary King of Torts, that explains much about what is wrong with the law in America: "An attorney is only successful if he convincingly portrays what his client believes happened, not necessarily what the lawyer feels is the truth. Once you're in court, you have to put aside your personal feelings for the good of the client. You become your client even if it isn't you or what you believe in. That is your job, that is what you've been hired to do."

Why should you represent a client you don't believe is telling the truth? There is no legal ethic that says you have to do that. The only exception is when you are appointed by the court to represent an indigent client. But lawyers have no moral duty to get rich representing well-heeled liars, although many of them love to pretend they do.

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BRIAN ROSS'S "MONEY WATCH" feature on ABC's nightly news during the Republican and Democratic conventions provided one telling example after another of how lobbyists take care of politicians. One memorable sequence showed a senior Republican congressman deplaning in San Diego from a private jet owned by the Tobacco Institute. Ross spared no one, not even his own network. He showed Billy Pitts, ABC's lobbyist, plying his trade with, among others, House Majority Leader Dick Armey.

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AS REGULAR READERS KNOW, I have been worried for a long time about the tendency of bright kids—of which their parents are often guiltier—to think they have to get into Ivy League schools. This is absurd, but a lot of intelligent people believe it. I was recently joshing a friend, one who is usually skeptical



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about snobbism, about the fact that he was sending his son to Harvard. He replied huffily that Harvard is now pre-eminent in all its major departments.

The fact is that in any given year, there are probably better teachers actually teaching basic courses in history and literature, for example, at many other schools. Students and parents should look at the crucial equation of how the student's interests match the teaching strengths—and I mean teachers who teach in classrooms more than a handful of hours a week—of the schools they are considering. *Money* magazine didn't do this exactly, but recently it did try to arrive at a value scale based on student-faculty ratios and entrance exam scores compared with tuition and fees. Some of the schools that rated better than Harvard included Pomona, Rice, Sewanee, Wabash, and Washington and Lee. State universities, which tend to be less expensive, and also ranked ahead of Harvard, include North Carolina, Texas, Florida, Illinois, Georgia, Iowa, Virginia, Washington, and Wisconsin.

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SPEAKING OF HIGHER EDUCATION, if you want to know why tuition has risen at three times the rate of inflation in the last 14 years, ponder these increases in costs during the same period: Faculty salaries rose by 97 percent—that's another reason to be curious about how many hours the professors spend in the classrooms—and administrative costs, which any student of bureaucracy knows are automatically suspect, rose by 131 percent.

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RON BROWN'S PILOT WAS NOT as good as his performance evaluations indicated, suggests a recent article in *Stars and Stripes* about the crash near Dubrovnik. Overly generous ratings of military and civil service personnel are a chronic problem. The reason is that promotions and raises rely on these evaluations and thus those making them fear ruining a subordinate's career with a rating that is less than enthusiastic.

What went wrong at Dubrovnik was that Ron Brown's plane was not, in Air Force lingo, "properly configured for a landing." In laymen's terms, this means Capt. A. J. Davis, the plane's pilot, was not aiming his aircraft at the runway but six degrees to the left, where a mountain loomed directly in its path.

It now develops that Lt. Col. Darwin Prewitt was gilding the lily when he earlier evaluated Captain Davis's performance as "impeccable." In fact, Prewitt now says, according to the *Stars and Stripes* article, that Davis was "often slow to properly configure his aircraft for landing and sometimes lost situational awareness during a landing."

I hope this story will be an object lesson to all the supervisors, both military and civilian, who see no harm in inflating performance evaluations. The harm is usually not as serious as the deaths caused by this crash but it almost always leads to cynicism, the kind of cynicism that can lead to such dismaying practices as officers being allowed to write their own performance appraisals. Yes, this really happens. According to *Stars and Stripes*, "About 11 percent of the respondents to an Air Force worldwide personnel survey earlier this year said they had been asked by supervisors to draft their own evaluation reports." Worst of all, inflated evaluations make it difficult to single out the lemons for dismissal and the truly outstanding for recognition and advancement.

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BILL CLINTON LOVES TO BRAG about the 100,000 new cops he has put on the street. But as of July, according to Michael Hedges of Scripps Howard, only 12,000 were actually patrolling. The highest figure claimed by the director of the program, Charles Miller is 19,149.

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EARLIER THIS YEAR, EDITORIAL planning conferences at the *Monthly* usually included the need for us to do an article on how the center was disappearing from American politics with the retirement of people like Sam Nunn, David Pryor, Bill Bradley, Nancy Kassebaum, and Alan Simpson. We didn't get around to doing it. Thank goodness. We had forgotten the traditional move toward the center that occurs in presidential election years, as illustrated by the 1996 national conventions of both parties and by this recent headline in *The Washington*

Roman Genn



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*Post*: "Senate Contest in Va. Becomes Race to Center." The reason this happens every four years is that most of the American people are in the center, a fact I hope the Gingrichites won't forget next year.

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IS SADDAM HUSSEIN PLAYING the oil futures market? That's what Thomas Friedman recently suggested in a column in *The New York Times* that might not have been as tongue-in-cheek as it appeared. How else can you explain behavior that drives up the price of oil one day and down the next, as the world market reacts to the possibility of an influx of Iraqi oil, which is probable on the days Saddam is behaving himself and thus likely to get international approval for selling his oil. The probability of this new oil on the market drives down the world price. On the other hand, when Saddam behaves badly, the price goes up. So Saddam, in effect, is in control of the market.

**Why hurt Lamm when he was in a contest with a paranoid bully?**

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AS A FORMER CIVIL SERVANT and soldier, I was always struck by how the fellows at headquarters seemed to make out better than the rest of the guys. If you need evidence of the truth of this observation, consider that federal employees in Washington make an average of $51,000 a year. Those located outside Washington earn $41,000.

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GOVERNOR GEORGE PATAKI OF New York felt guilty about those state lottery ads that encourage people to gamble by suggesting that they are likely to win a fortune. So now he's advertising the good that the lottery does by raising money for education. This is certainly an improvement over the misleading ads that New York used to run and that many states continue to use—by the way, did you know that the 36 states that have lotteries spent $372 million advertising them in 1995 alone?—but Pataki is still not facing the basic immorality of state-sponsored gambling. Public services like education should be paid for by taxes, not by preying on the weaknesses of poor people desperate to strike it rich.

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FOR ME THE MOST DISTURBING fact about Hazel O'Leary's trips is not that they are made—although some of them, as well as the identity of her guests and the luxuriousness of the aircraft used, do not inspire confidence in her judgment—but that, according to the Associated Press, there was such "poor management and sloppy recordkeeping" at the Department of Energy that "hotels were paid twice and no one can say how many people actually went."

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A NEW BIOGRAPHY OF PAMELA Harriman by Sally Bedell Smith gives me another chance to complain about the size of the embassy in Paris. Why, except that it's a wonderful place for foreign service officers to live, should we have an embassy staff in Paris that far exceeds what we have in far more important capitals such as Tokyo, Moscow, and Beijing?

Smith also reveals another lamentable truth about the foreign service when she writes, "[Harriman] and her staff spent six months preparing for Bill and Hillary Clinton's first visit to France in June 1994." This is typical, not just of Paris, but of practically all of our diplomatic missions. They habitually devote an inordinate amount of time to preparing for visitors from Washington. A possible visit by even an assistant secretary from Foggy Bottom can produce a frenzy of activity in our embassies.

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ABIGAIL TRAFFORD, THE EDITOR


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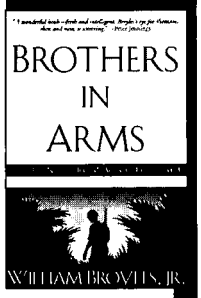


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of *The Washington Post*'s excellent health section, recently wrote a column on the personal freedom issues posed by motorcycle riders: individual freedom versus rules that appear intrusive. Should a rider be required to wear a helmet and thus be deprived of the thrill of the wind rushing through his hair? The answer is clearly yes. Motorcycle deaths decreased by 35 percent in California when helmets were made mandatory. Also, common sense tells me that a lot of young men who refused to wear helmets did so because they didn't want to look like sissies and secretly welcomed being required to do the prudent thing.

Trafford takes the issue a step further when she points out that even with helmets, it's 20 times riskier to ride on a motorcycle than in a car. Does this mean that we should outlaw motorcycles altogether? I would guess that most of us would say no; that's much more of an intrusion on the rights of the individual. After all, the major risk is to themselves, not to others.

But this is not quite true. Forty percent of injured motorcyclists are young men who have no health insurance. The public has to pay for their treatment. Since their injuries are often serious, the bills are not negligible.

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SEXUAL EQUALITY IS BRINGING a new lobbying technique to our legislative bodies. Instead of—or in addition to—wining and dining legislators, lobbyists are dating them. In Maryland, for example, there are at least three lobbyist-legislator couples, according to Tom Stuckey of Associated Press. One male and two female lobbyists have significant others who are members of the state legislature. The problem with this approach is that the lobbyist may gain the absolute certainty of one vote but risk losing the votes of all the legislators who are members of the opposite sex and are not happy about not being the chosen one.

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WHEN I WAS A STUDENT IN New York in the late forties, I got to know a man named Herbert. He was around 35 at the time but looked a lot more tired than that. He was a junkie and a petty thief, forever trying to raise cash for his habit by persuading you to buy an object that you suspected he had not acquired by legal means. He spent considerable time in jail and always seemed on the verge of being totally defeated by life.

Of all my acquaintances, he seemed the least likely to live to 81 and to have his importance recognized by a four-column obituary in *The New York Times*. But that is exactly what happened to Herbert Huncke, who died in August. I had met Herbert through Allen Ginsberg, who lived on the second floor when I lived on the fourth at 200 West 92nd Street. I first heard the word "beat" used in the sense that Jack Kerouac was later to make famous when Allen was describing Herbert to me.

Herbert went on to become a literary celebrity in his own right. His most recent book was titled *Guilty of Everything*. I'm sure he was. ●


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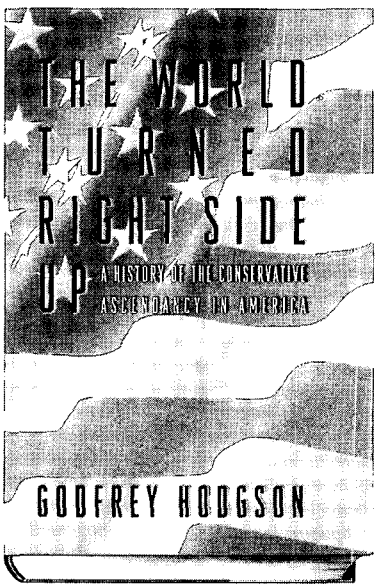

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# Flirting With Disaster

## *Calamities like Hurricane Fran make great footage, but they don't make smart relief policy*

### By John Solomon

It would have been understandable if television viewers thought CNN had started running reruns. In 1993, its cameras had vividly captured the extensive flooding along the Missouri and Mississippi rivers, where homes were destroyed and crops ruined. Because only 17 percent of the property damaged had been insured, it had cost the federal government $6 billion in emergency relief aid. Two years later, when high waters returned, three fourths of the properties in the most dangerous areas had no flood insurance; again, the feds (followed by TV crews) came back to help repair and rebuild. Even now, after all these warnings, still only 30 percent of homeowners have adequate flood insurance. The number is even lower in the areas where Hurricane Fran struck.

Welcome to the world of federal disaster relief, a political ritual with a protocol all its own:

1) Following disaster (televised live), president expresses nation's sympathy, pledges to do everything possible, sends Federal Emergency Management Agency (FEMA) to scene, and declares national disaster, authorizing emergency grants and low-interest loans.

2) Media airs dramatic interviews with victims, who praise FEMA's performance.

3) President and/or cabinet officials make on-site inspection. More aid is promised.

4) Asserting that "this transcends politics," Congress passes "emergency" appropriations overwhelmingly.

5) Community congratulates itself for coming together and thanks rest of country for its support; every elected official gets a positive bump in the polls.

6) Repeat when necessary.

This procedure is so ingrained that Americans rarely think about its broader long-term implications. Natural disasters often merit round-the-clock television coverage, and moviegoers made *Twister* one of the top blockbuster hits of the summer. Yet if taxpayers did look beyond the pictures they might be distressed by how much money is spent, the disproportionate benefit going to politically important states, and the personal irresponsibility of many of the recipients.

Other than successfully commanding a war, there is no better way for a politician to look "presidential" than by taking charge after a natural disaster. In February, President Clinton made special visits to key swing states Pennsylvania and Washington to inspect relief efforts after he declared them federal disaster areas. Of course, it would have been impolitic to mention that only 1 percent of businesses and homes in those states had purchased proper flood insurance.

The most blatant use of federal disaster relief as a political tool was President Bush's promise of a half billion dollars during the 1992 campaign to rebuild Florida's Homestead Air Force Base, destroyed by Hurricane Andrew. The Pentagon had already decided it did not need the base and scheduled Homestead for closing. But Bush, previously pilloried for his slow reaction to Andrew, wasn't going to make the same mistake twice. (Not surprisingly, the two states that have received the great bulk of relief aid are also electorally rich. California, which has 54 electoral votes, received 55 percent of federal aid from 1989 to 1994. Florida, with 25 electoral votes, got 20 percent.)

The problems here are obvious. First, a few billion for this earthquake, a few billion for that hurricane, and soon you're talking about real money. Contrary to popular belief, disaster aid does not come out of some bottomless "rainy day" fund; at more than $50 billion over the last five years, it has become an

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increasingly costly piece of the federal budget. In fact, it is one of the few government activities where politicians, the public, and the press all agree that the standard of success is how much and how fast money can be spent. Not only is disaster relief untouchable, it's a unique example of political pork that everyone accepts as kosher.

The second problem is that political pressures can lead to relief measures that are unnecessary, or even counterproductive. Last August, as firefighters fought devastating wildfires over thousands of acres in New York's Long Island, Governor George Pataki and Senator Alfonse M. D'Amato held a press conference announcing that the U.S. Forest Service would be sending C-130 aerial tankers capable of dropping 3,000 gallons of fire retardant.

When the planes did not show up immediately, the politicians went back on television to criticize the federal response. Area Congressman Michael P. Forbes sent a letter to President Clinton demanding an investigation into what he called the "C-130 fiasco," and the White House instructed federal officials on the scene to respond to local demands. *USA Today* even weighed in, asking why the planes did not appear in an editorial titled "Jumbo Disappointment."

**Disaster relief is the rare government activity where politicians, the public, and the press agree on the standard of success: how much and how fast money can be spent.**

Missing from the furor was one important fact: Firefighters on the ground neither needed nor wanted the C-130s, which they thought would be more difficult to maneuver than the planes and helicopters already on the scene—and therefore potentially dangerous. According to the local *Southhampton Press*, the misguided pressure forced the U.S. Forest Service to "spend hundreds of thousands of dollars to bring airplanes that only the press and the politicians and the misled public cared to see." An internal Agriculture Department review of the C-130 controversy buttressed this point of view, concluding that "well-intentioned but inexpert involvement in ordering resources ... hampered the fire team and local authorities in using aircraft on the fire safely." Predictably, the report received scant coverage from the same local news operations that had helped whip up the frenzy with their live remotes.

### Too-Sweet Relief

The third problem—and the issue that deserves the most attention—is this dirty secret: Some of these emergencies are not unexpected. Americans who have made conscious decisions to live underinsured in potentially treacherous (but often scenic) areas do so with some knowledge that the government will bail them out in case of disaster. Some calamities are unpredictable. Most are not. Anyone moving to Malibu, California, for example, has to know that there's a high risk of trouble. Floods, fires, and mudslides in that city have resulted in five national disaster declarations and a $445 million federal emergency relief tab in the last five years.

Although "personal responsibility" has been a frequent mantra in the current welfare and tort reform debates, few have noticed the lack of personal responsibility of property holders who do not insure their risk and then repeatedly ask taxpayers to pay.

True, in many high-risk areas, insurance can be very expensive and hard to get. In California, for instance, nine of the top ten homeowners insurance carriers left the market after the state required them to offer earthquake insurance with all homeowner policies following the Northridge quake in 1993. Realtors report that it has become much more difficult (though certainly still possible) to get homeowners insurance. And in Florida, where Hurricane Andrew caused $16 billion in insured losses, insurance companies are dropping homeowners and refusing to take new ones. Prudential even paid their customers to take their business elsewhere, and Allstate paid a competitor to take 137,000 policies.

But people are still more than willing to stay in and move to these high-risk areas, even without insurance to protect their homes. Experts believe there is a good chance (some say as high as 86 percent) of an earthquake measuring up to 7.0 on the Richter scale occurring in Southern California in the next 30 years; yet only 35 percent of residents in seismically active


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areas carry earthquake insurance. (The 6.8 Northridge earthquake in 1993 cost taxpayers $15 billion in relief for homeowners, businesses, and local governments.) Meanwhile, across the country, 1995 was the Southeast's busiest weather season in 62 years, with 17 major named storms: Meteorologists believe these conditions foreshadow increased hurricane activity over the next two decades. That makes it all the more urgent that we move beyond a reactive mode when it comes to disaster policy.

FEMA has begun the effort. Over the last several years, the agency has worked with Congress to improve disaster planning and tighten relief eligibility requirements. For example, under a new federal law, financial institutions cannot issue a mortgage without proper flood insurance coverage. But more than two thirds of private buildings in the flood-prone zones still do not have coverage. One problem is that these policies are sold in one-year increments, and many consumers let them lapse.

Another step in the right direction is that FEMA will now provide flood relief to victims without proper insurance only once; the second time they're on their own. The agency has even launched a television advertising campaign to get that message out and increase the anemically low number of flood insurance policyholders.

This is a good start. But why not just announce that if homeowners do not purchase flood insurance by a certain date, they will be ineligible for significant federal relief? In California, slightly more than one in three insured homeowners have taken the earthquake insurance they are entitled to by state law, but realistically, earthquakes have to be considered a part of life in the Golden State. As a California Insurance Department official concedes, "There are costs attached to living in paradise."

Both California and Florida have been attempting to address the insurance problem themselves. After Hurricane Andrew, Florida created its own insurance pool to provide coverage to homeowners dropped by private insurers, and it has become the third largest underwriter in the state. California, where practically every insurer has cut back on issuing new policies or left the business entirely, is establishing a state Earthquake Authority, financed by the insurance industry and state bond sales, that would become a less costly lending option for homeowners in perilous areas.

Yet, the ultimate success of these initiatives will rely on several elements, including some cooperation from Mother Nature. State officials say that the new systems could probably handle smaller disasters of up to $10 billion in damages, but concede that they could not deal with the expected $25-50 billion in losses if a hurricane or earthquake hit a major metropolitan area without having to turn to the federal government for extensive financial assistance.

The Clinton administration is currently meeting with members of Congress, the insurance industry, and consumer groups to try to provide some protection for insurers in the case of such a megadisaster without leaving the federal government exposed to an open-ended financial risk. In the meantime, local governments need to move toward more rigorous predisaster preparation, by adopting and enforcing stronger building codes and zoning restrictions, in order to mitigate the extent of losses. It should be more than a little alarming, for example, that many of the nation's most dangerous areas are also some of its fastest growing. Florida's population of 14 million, 75 percent of which lives on a coastline, has risen by more than 25 percent in the last decade. If localities won't act on their own, then the feds should force them to, because it's Uncle Sam who will ultimately be socked with the reconstruction costs of both uninsured private and public property.

The unique challenge in bringing together all parties to find a legislative answer to the disaster policy quandary is that dramatic videotape can throw the best-laid plans to the winds. Airborne shots of floating houses beget national sympathy, which begets federal officials with hip boots and deep pockets.

So dealing properly with this issue requires as much a societal attitude adjustment as a legislative change. The public needs to realize that policy should not be driven solely by dramatic pictures. It's true that young people, who have little choice over where they live, deserve public help. But adult residents make conscious decisions to live with risk, and the response must take that factor into consideration.

Although policymakers need to get smart about disaster relief, it's hard to overestimate the role of journalists in these matters. With their stories of heartbreaking devastation and heroic rescue efforts, they create conditions that lead to personal and political irresponsibility. Next time it does round-the-clock disaster coverage, the media should interrupt long enough to explain the essential context, the cost to taxpayers, and the real stories about many of the victims.

It is a proper role of government to provide an emergency safety net. But ongoing disaster aid is not a right. Like any other government function, sympathy requires realistic planning, strict standards, and a responsible budget. ●



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# Dead Wood

## *The Forest Service needs more than pruning*

BY GLENN HODGES

WHEN THE CLINTON ADMINISTRATION made Jack Ward Thomas chief of the Forest Service in late 1993, environmentalists couldn't have been happier. Thomas was the agency's senior wildlife biologist who earlier that year had developed Clinton's plan to protect the northern spotted owl in the Pacific Northwest, where furious logging of old-growth forests had, until 1991, been driving the owl towards extinction. The federal judge who stopped the logging with an injunction that year fingered the Forest Service, accusing it of "a deliberate and systematic refusal . . . to comply with the laws protecting wildlife."

By that time, the Forest Service had a long and well-documented history of running roughshod over the nation's forests—and the environmental laws protecting them—in its efforts to "get out the cut" for the timber industry. The appointment of Thomas, the first scientist ever to lead the agency, was hailed as a bold new direction. The Sierra Club said his appointment "signals that forest management will now be conducted in a science-based manner"; the Oregon Natural Resources Council called it "the most sweeping change of the Forest Service since its creation in 1905"; the Association of Forest Service Employees for Environmental Ethics said, "Jack Ward Thomas sends a clear signal that it is not going to be business as usual in the Forest Service."

As chief, Thomas dedicated the agency to a new ethic: "Tell the truth, obey the law," and use "the best scientific knowledge in making decisions." Though he believed providing timber was an important function, his Forest Service would avoid the kind of forestry that had in the past devastated ecosystems. Thomas knew that protecting threatened and endangered species isn't just about owls or fish, but about the larger webs of life of which they are integral parts. In May 1994, Thomas quoted the Endangered Species Act to describe one of his prime missions as chief: "Preserve the ecosystems upon which the species depend."

So the irony couldn't have been thicker when a federal judge in Pheonix threatened to hold Chief Thomas in contempt in May 1996 for his agency's failure to protect the Mexican spotted owl, the rare southwestern cousin of the northern spotted owl he had worked so hard to preserve. "This court is at a loss to understand why the [Forest Service] would not carry out its duties set forth in the [Endangered Species Act]," the judge wrote. For two years, the Forest Service had been considering only the impact of individual timber sales on the owl, rather than the cumulative effect. Of course, individual bites don't make a cookie disappear, either.

Then in August of this year, White House Chief of Staff Leon Panetta and Agriculture Secretary Dan Glickman rejected a Forest Service proposal to step up old-growth logging in California's Sierra Nevada, citing concerns that it was "not supported by the best forest science." Only 15 percent of the Sierra's original old-growth forest had never been cut, and a three-year, congressionally sponsored study had concluded that logging was contributing to the eventual extinction of a number of plant and animal species, including the California spotted owl (the third of the spotted owl cousins). Despite reports from its own biologists that the owl population had been dropping at least 5 percent per year since 1990, the Forest Service, backed by the timber industry, insisted its proposal to increase logging by 80 percent from 1995 levels was sound.

But it is the Forest Service's implementation of the timber salvage rider that Congress passed, and Clinton signed, in July 1995 that has really raised environmentalists' ire. An attachment to a recisions bill, the rider instructed the Forest Service to sell 4.5 billion board feet (a "board foot" is an inch-thick square foot of wood) of salvage timber—trees that are dead,


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dying, or "imminently susceptible" to fire, disease, or insect attack—to logging companies by the end of 1996. The law was controversial from the start because it freed the Service from its normal environmental assessments and made it immune to administrative appeals. It was, critics said, "logging without laws," giving the Forest Service license to cut, as salvage, "all trees made of wood," as Senator Bill Bradley put it.

Soon after the law's passage, stories from the national forests indicated that the concerns weren't unfounded: Foresters were using the rider to offer timber sales that had been stopped years earlier for environmental reasons; they were re-labeling sales that had been previously classified as "green"—healthy and alive—as salvage sales to avoid appeals; they were moving into roadless areas—undeveloped wilderness—without the environmental assessments that were usually required; they were clear-cutting steep slopes and polluting streams; they were destroying the habitat of threatened species like the grizzly bear and chinook salmon.

Though the rider allowed the Forest Service to do these things, it didn't require them to. The agency's poor use of its discretion was a vivid reminder that old habits die hard.

### The Song Remains the Same

To close observers of the Forest Service, it has all been, if disappointing, not terribly surprising. The Service has a long history of ignoring its "ologists" (agency parlance for biologists and other scientists) and anyone else who says what its "timber beasts"—the old-style foresters who have traditionally ruled the agency, putting budgets and body counts (of felled trees) ahead of sound forest management—don't want to hear. Their motto: "Get out the cut," laws and facts be damned, if necessary.

It often surprises people to learn that this is the same Forest Service of Smokey the Bear and Ranger Rick, the benevolent protectors of the 192 million acres of national forest. But when you understand the history of the agency, it makes more sense. When the Forest Service was created as part of the Department of Agriculture in 1905, timber was considered a crop. For decades, forestry policy focused on optimizing the yield, and following World War II, when housing construction took off, the national forests became an important wood source. Though most of the nation's timberlands are privately owned—national forests currently provide less than 5 percent of the nation's timber—the national forests have roughly 45 percent of the country's "softwood" timber (pines, firs, etc.) that is prized for construction, and almost all of the nation's remaining old-growth forests.

The pressure to get at this wood is intense, especially since the Forest Service generally sells its timber for well below market value, and usually at a loss (a 1971 *Washington Monthly* story found that timber companies regularly colluded to keep bid prices low). In the Pacific Northwest, old-growth Douglas fir is like gold with roots; a single tree can net a timber company thousands of dollars. Though plum old-growth trees are often exported whole, many domestic mills are still geared for big logs. Without trees from national forests, these mills and the communities that depend on them may have trouble—a hardship magnified by the fact that 25 percent of the Forest Service's gross timber-sale revenues goes to local counties, which can become dependent on national forest logging to pay for essential services.

In Oregon, where until recently the timber industry was the top source of jobs, the pressure to keep national forest timber coming has turned otherwise moderate legislators like Bob Packwood and Mark Hatfield into surrogate loggers. It has been the political kiss of death not to be. This may change; the disaster so many predicted after the spotted owl injunction stopped old-growth logging never materialized. Many mills made the switch to smaller trees from private lands, economies diversified, people retrained, and unemployment in Oregon dropped to 5 percent. Logging cutbacks are certainly unnerving, but they may be more easily survivable than once thought.

But the system won't change without a fight. The $200 billion a year timber industry still has a tight grip on western legislators, who often hold key committee positions in Congress. The industry's goal is to get as many trees out of the national forests as possible, and Congress is the key to getting them. Meanwhile, Congress sets the Forest Service's budget, and the more trees the Service agrees to cut, the more money it gets. It all adds up to a classic iron triangle: three parties, all pursuing the same goal (lots of logging) for the same reason (their own well-being). Members of Congress want PAC money and political support; the timber industry wants its trees, as cheap as it can get them; the agency wants its budget, as large as possible. This triumvirate explains most of the overcutting of the 1980s.

Win Green, a former Forest Service supervisor in Idaho, says Jack Ward Thomas's predecessor, Chief F. Dale Robertson, made the agency's priority clear. "I heard him say it many times in meetings, 'My mission is to maximize the budget of the Forest Service and

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work with the Hill to do that.'" And there was one way to do that: promise to cut a lot of trees, and then cut them. "A lot of people were so married to the budget—they knew that if we couldn't get the cut out, the budget would drop, and that would have a serious impact to the organization, workforce-wise." It is, he says, "the linchpin that holds everything together." (The Forest Service is not entirely unique. Because jobs are secure and promotions are plentiful when budgets rise, and the opposite when they fall, all bureaucrats revere their budgets.)

As the General Accounting Office (GAO) stated in 1994, "In most national forests—even in some where timber harvesting is uneconomic and other activities and uses are more valuable—forest managers depend on timber sales for funds." That's because the Forest Service gets paid twice for timber sales: once when Congress appropriates the money to cut the trees, and again when they collect from the loggers. Thanks to an antiquated trust fund system, the agency repays the treasury at a 1930 rate for the timber it sells; if the rate had kept up with the times, it would be 100 times higher. The more trees cut, the more money the Service has to fund positions, projects and overhead.

**The border of Yellowstone National Park and Targhee National Forest, where salvage clear-cuts created a scar visible from space.**

Photo by Tim Crawford

If the Forest Service meets its timber targets, it's likely to please its appropriators, who are then likely to treat it kindly the next go around. Historically, foresters who meet their targets get promotions. Those who don't, don't get very far. The pressure to keep the timber flowing can mean a lot of shortcuts, bad decisions, and broken laws. Numerous employees and ologists have complained that the Service has stifled their findings, doctored data, and even pulled numbers out of thin air to justify logging programs.

In the late 80's, the pressure to get out the cut was so bad a number of Forest Service employees broke ranks. In 1989, Regional Forester John Mumma, the head of the Service's northern Rockies region, drafted a letter to the chief with all 13 of his region's forest supervisors, complaining that they could not meet their cut quotas without violating forest plans and environmental laws. "All you had to do was get in an airplane and look around to validate it," Mumma says. But the letter "got into the hands of the timber industry, and they used that [to tell] Dale Robertson that he'd lost control of his troops . . . and all he needed to do was straighten out his people, cut the trees, and everything'd go back to normal." Idaho Senator Larry Craig quickly jumped in, writing the chief: "You have serious management problems that must be addressed. It is my hope that you will move to assure targets are met and line officers are held accountable." He asked for monthly summaries of what the agency was doing to get the cut out.

Mumma says, "I was told I had to improve the performance. I said that's legally, biologically and morally impossible. And I was told, 'that's unacceptable. If you can't get it done, we'll get somebody that will.'" Mumma's superiors gave him one choice: accept a reassignment to Washington. He quit, and most of the forest supervisors under him were quickly pushed aside. Mumma had been the first biologist to become a regional forester.

In 1990 the Forest Service conducted a survey asking its employees to rank the attributes most rewarded by the agency. The top three responses? Loyalty to the service, meeting cut targets, and promoting the good image of the service. Among the least rewarded: preservation of healthy ecosystems.

## Savage Rider

Unfortunately, the saga of the salvage rider vividly illustrates how many of these forces are still at work. By the early 1990s, thanks largely to the decline in green sales, salvage sales had become integral to the workings—and the budget—of the agency; by 1993, roughly 40 percent of the agency's timber sales were salvage. Even before the 1995 rider, salvage sales had big bonuses: Because, in theory, dead and dying trees need to be harvested quickly, the sales had an expedited review process; they were exempt from a number of environmental restrictions, like prohibitions against logging in environmentally sensitive areas; salvage clear-cuts had no size limits, whereas clear-cuts of green trees were limited to 40 acres; and the agency


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got to keep *all* proceeds from salvage sales.

It all added up to a strong incentive to liberally label sales as salvage. In an infamous 1992 memo from Oregon's Malheur National Forest, a Forest Service manager wrote that her supervisors insisted that "virtually every sale should include 'salvage' in the name . . . even if a sale is totally green, as long as one board comes off that would qualify as salvage on the Salvage Sale Fund Plan, it should be called salvage. It's a political thing." The result in the Malheur? According to *The Washington Post,* loggers "stripped whole hillsides of many of the old growth ponderosa pines that scientists say must be preserved to heal the severely stressed inland forests."

Ironically, salvage logging is often justified as a way to *preserve* forest health, even though many biologists and forest ecologists claim that the type of salvage logging done in national forests—either taking the largest, most valuable trees or clear-cutting—often does more harm than good. Take the Targhee National Forest, which abuts Yellowstone National Park's western border. In the 1980s the Forest Service conducted a salvage clear-cutting program so massive that, when the logging stopped and the Service surveyed what was left, it had to reduce its proposed annual sale level by 96 percent. The clear-cuts went straight to the Yellowstone border, fragmenting the greater Yellowstone ecosystem.

When Jack Ward Thomas became chief, he knew salvage had become key to the agency's timber sales. Well before the rider passed Congress, Thomas dedicated the Service to an "aggressive" salvage program. In March 1995 he said, "Let me be clear: In order to meet people's need for wood fiber and employment, the Forest Service will pursue an active and aggressive salvage program." By the Forest Service's estimates, there were 18.3 billion board feet (bbf) of dead and dying timber in the national forests, and the agency told Congress that 4 to 5 bbf of it could be "economically recovered in an environmentally sound manner." Though Thomas was opposed to the rider as a whole—mainly because it included a separate set of old-growth sales in the Pacific Northwest that had been withdrawn years earlier for environmental reasons—the salvage part was pretty much OK with him. He had lamented that the Forest Service was "increasingly mired in a swamp of laws, regulations, and case law," and the salvage rider provided a way out. As Thomas told the *Lewiston* (Idaho) *Morning Tribune* in May 1996, "The purpose of the bill was to take legitimate salvage operations and accelerate them."

Accelerate them it did. According to the Congressional Research Service, the cut mandated by the salvage rider was more than double the amount of salvage timber the Forest Service had originally intended to sell in the same 17-month period. Though the Service said they could sell the 4.5 bbf, once Congress put it into law, it meant one thing: pressure to get out the cut. Just two weeks after the rider passed, the chair of the Senate subcommittee overseeing forestry, Idaho Sen. Larry Craig—yes, the same Larry Craig who put the squeeze on John Mumma—began complaining about how slow the Forest Service was getting sales out. "We are spending one hell of a lot of money and we are getting nothing," he said. The Clinton administration was trying to implement a memorandum of agreement (MOA) between the Service and the other federal agencies that manage wildlife and public lands, to ensure that there was consensus on whether individual salvage sales were environmentally sound. Congressional Republicans screamed that that was just the sort of thing the rider was designed to avoid. The Forest Service seemed to agree.

One of the first salvage sales to go on the block, the "Thunderbolt" sale in Idaho, showed why the MOA was needed. The Service offered the sale before the MOA was completed, and it immediately alarmed environmentalists and the other federal agencies. Poised on the south fork of the Salmon River, the 3,200 acre fire-stricken stand was in crucial habitat for the endangered chinook salmon (a key and fast-disappearing component of the Columbia River Basin ecosystem). Past logging had rendered the river inhospitable to the fish because clear-cutting of the area's steep slopes led to erosion and river-choking sediment, but a habitat restoration plan was in the works and the Forest Service's forest management plans had pledged not to worsen the problem in the meantime.

But the salvage rider freed the Forest Service from having to follow its own plans, and it forbade the public from appealing the sale. It also allowed the Service to disregard the input of other federal agencies—which it did. The National Marine Fisheries Service, U.S. Fish and Wildlife Service, and Environmental Protection Agency all said logging the area would jeopardize the salmon and run counter to federal protection efforts. The Interior Department also condemned the sale, saying it "likely will increase the risk of the extinction of chinook salmon," according to an undisclosed letter the Associated Press obtained. (According to AP, Interior "quietly withdrew the critique after an angry objection from Larry Craig.") Despite the other agencies' concerns, the Forest Service said, in essence, we're doing it anyway. Defending



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the decision in April, Chief Thomas said, "In our opinion, we had the science on our side."

But science may have been taking a back seat to other concerns. Soon after passage of the rider, in September 1995, the Forest Service's director of timber management, David Hessel, wrote a memo to regional foresters saying that, because of workforce reductions, they should rely on timber industry representatives to help implement salvage sales. "They have indicated they are more than willing to make suggestions, go in the field with your people, and provide input which will help achieve our objectives." Translation: do what it takes to get the cut out.

When the rider was under consideration in April 1995, a district ranger in the Boise National Forest told *The Washington Post* the cut target was too high. "Physically, there's no way to get it done," he said. This pressure may be the reason the Forest Service offered more than two dozen "salvage sales" that had originally been green sales—some of which had previously been withdrawn because of successful appeals. Under the rider, appeals were a thing of the past, and, absent close scrutiny, the Forest Service tried to pull a few fast ones.

For example, in Idaho's Payette National Forest, people had noticed logging trucks full of green trees, so the Forest Service issued a press release saying, "these trees are actually dead, the result of bark beetle attacks." Arthur Partridge, a forest health expert at the University of Idaho, said the Service had made "five conspicuously false statements" in its press release. When he inspected another salvage sale, he found that "all marked trees [for cutting] were green, not salvage-type dead and dying."

But what has concerned the most people has been the Forest Service's eagerness to sell salvage timber in roadless areas, especially in Montana, which has large expanses of forest without roads, but very little Congressionally set-aside wilderness. The stakes are high, and highly contended. Once Congress designates land as wilderness, it is off limits to road-building and logging (currently 18 percent of national forestland is designated wilderness). And once the Forest Service builds roads into an area and starts logging, it's out of the running as wilderness. Before the salvage rider was even a gleam in Congress's eye, a Forest Service employee told the Center for Public Integrity that the agency's timber teams purposely sought out salvage timber in areas away from roads so they could build roads and open the areas to further logging.

It was no secret the Forest Service wanted to move into the roadless areas, even before the rider. The agency's 1994 Western Forest Health Initiative, which identified salvage logging as one of the key ways to thin forests of dead, unhealthy, and "at-risk" trees, targeted about half the salvage cut to come from roadless areas, and early in his tenure, Chief Thomas made it clear that "that's where the timber is—we're going in." But because the rider leaves the Forest Service immune to almost all public appeal and environmental challenge, it has opened a wide door for abuse.

Montana's Kootenai National Forest, where the threatened grizzly bear is trying to hang on to some of its last U.S. habitat, has 18 of the 266 worst salvage sales identified by the Western Ancient Forest Campaign, far more than any other national forest. A number of them penetrate roadless grizzly habitat and two, in the Yaak River valley, are in especially sensitive habitat. According to a joint Wilderness Society–National Audobon Society report, the sales violate the grizzly bear management guidelines for the region, as well as the Kootenai National Forest management plan. But that's moot. The appeals court that upheld the Yaak sales ruled that, because of the rider, "The Forest Service had discretion to disregard entirely the effect [of the sales]on the grizzly."

And, as with other areas, the trees coming out of the Kootenai's Yaak valley may not even have been real salvage. An area resident and former timber industry worker, Rick Bass, wrote in *The New York Times* that he'd seen a lot of logging trucks rolling out of the forest: "I'm sure some of those trucks must have been carrying logs from burned or dead trees, but I haven't seen any. All I've seen are big green trees, some centuries old, and lots of them."

On July 3, 1996, Agriculture Secretary Dan Glickman, who has authority over the Forest Service, issued a directive to the Service telling it to stop. Stop the roadless area sales, stop putting up sales that had been halted for environmental reasons, stop it with the "salvage" sales that were more live than dead. "Most people," he said, "including myself, do not believe that an emergency salvage sale should include a great number of healthy trees."

## Patriot Games

In March 1995, as the salvage rider was being planned, Jack Ward Thomas said in a speech, "In the process of obedience, the Forest Service will not violate the principles embodied in the standards and guidelines in the forest plans put into place to protect basic resource values." If there is a conflict, he said, "we must stand on first principles." Forest Service line officers "will be held accountable for their decisions



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and for the performance of their units."

"Vision is nothing without actions," he said.

Virtually everyone I spoke to who has followed Jack Ward Thomas's tenure as Chief of the Forest Service sings high praises for his principles and ideals. All but his most virulent critics say they like and respect him. But, almost across the board—including past and current Forest Service employees, and a former chief—they say he has been unable to translate his ideals into action.

Some say his key fault is his loyalty to the Service. Andy Stahl of the Association of Forest Service Employees for Environmental Ethics (AFSEEE) says he's a "Forest Service patriot. He believes in the Forest Service, right or wrong." Former congressman Jim Jontz, now head of the Western Ancient Forests Campaign, concurs: "He sees his job as defending the agency whatever it's doing."

This may indeed be the case. In a September 1994 speech, Thomas decried a newspaper ad calling the Boise National Forest supervisor "the butcher of Boise," and salvage logging, "voodoo forestry." "I will not leave any of my people hanging out to dry when they are taking personal hits," he said. His people have been taking a lot of hits in the last year, and he has sided with them consistently. Not once has he said, 'we were wrong—we shouldn't salvage log Thunderbolt,' or 'we shouldn't have proposed to dramatically increase logging in the Sierras,' or 'we shouldn't have reclassified green sales as salvage.' From all appearances, he has not stood on first principles, and he has not held his people accountable.

**"When I came on board, one of my predecessors told me, 'You'll never get a handle on the Forest Service!'" says Agriculture Secretary Dan Glickman.**

"He believes in the agency," says Jeff DeBonis of Public Employees for Environmental Responsibility, "and when it comes to taking on the agency to make reform-minded changes, or keeping the integrity of the agency intact and not airing the dirty laundry, then he's old guard. As far as resource management views, I don't think he's old guard at all, but I think he will sacrifice that for the good of the agency."

Thomas had noble goals for the Forest Service, but he took the helm with a huge strike against him: He was a political appointee. He wasn't from the SES (Senior Executive Service), from which chiefs are as a rule promoted. The Clinton administration wanted to make a splash with a new chief, and splash they did. Immediately, 70 forest supervisors (out of 122) and four regional foresters (out of nine) wrote a letter to protest the assignment; it went contrary to Forest Service tradition, they said, and set a dangerous precedent for politicizing the agency.

Thomas had two choices: rage into the chief's office with his own team, announce his agenda, and try to impose his will on the agency; or play it low-profile, move slow, make no enemies, and work with what he inherited. It should be no surprise he chose the latter. There is always a powerful temptation for an administrator to accede to an organization's culture, to court the loyalty of subordinates. Thomas knew right off the bat he had dissension within the ranks, and he was plopped into the chief's seat without much of a mandate from either the Agriculture Department or the White House.

"As far as I can tell, Thomas was appointed without any marching orders from the administration," says Stahl of AFSEEE. "And he didn't clean house at all. That cadre of SES folks were selected by the Reagan/ Bush administrations for their political ideology. Now you have a chief who is supposedly representing a Clinton administration ideology, but all of whose lieutenants represent the old days. That's virtually guaranteeing that you won't be effective."

The upshot of this is that Thomas's goals don't get very far. A planning forester for the Service in Oregon says, "I think from the ground people like him, but they also realize that there's a lot of middle management in the way. We haven't seen a lot of the concepts that are always talked about put into action."

### Wild Dog of the Executive Branch

The Forest Service has a long-standing reputation as the most fiercely independent agency in the executive branch—proud and insular, resistant to change, and devoted to internal loyalty. When asked about it, Secretary Glickman laughs and says, "When I came on board, one of my predecessors told me, 'you'll never get a handle on the Forest Service!'"

Glickman says he and his staff have the blood pressure to prove it. The White House, as well, has not



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been pleased that the heat Clinton brought upon himself by signing the salvage rider has been compounded by the way the Forest Service has carried it out. Soon after the rider became law, the administration instructed the Service to "move forward . . . in accordance with . . . existing forest and land management policies and plans, and existing laws." It did not.

There are rumors that Thomas is a short-timer at the Service, and perhaps he should be. But Clinton needs to realize that his first mistake was trying to win on the cheap. You can't change the culture of the agency with one man. If Clinton wants to replace Thomas with a team that has a clear agenda for reform, that's one thing. If he simply wants a new chief, it's probably not going to make a big difference. In 1992, candidate Clinton promised to "rededicate the agencies that manage our national parks and wilderness lands to a true conservation ethic." He's going to have to try harder.

Clinton knows what the problems are. *The New York Times* reported in April 1994 that the administration led a focus session in Seattle to discuss "whether the 36,000 person agency has become so tied to the mission of harvesting wood that it is, in effect, a Federal subsidiary of the timber industry." The White House made a half-hearted attempt to eliminate below-cost timber sales (which are profitable for timber companies and the Forest Service, but losers for the public and the treasury) early in the term, but abandoned the effort when it hit resistance. Reforming the agency's budgetary incentives would take a big fight in Congress, and Clinton has simply not been interested in spending much political capital on natural resource issues. (Remember, Interior Secretary Bruce Babbitt also had to abandon modest attempts to increase grazing and mining fees when resistance trumped Clinton's resolve.) Clinton has been quick to wrap himself in green when the polls tell him he's got a winner, but he has to demonstrate that it's not just a campaign issue for him, but a real priority.

"We've known for years that the economics send all the wrong signals and it needs to be changed," says Jim Jontz of the Western Ancient Forest Campaign. "The sad thing is the Clinton administration really could have changed that. There are Republicans in Congress, like [Ohio Rep. John] Kasich, who get it. It would have taken some time, but I think there's a constituency for real reform."

The Forest Service claims it wants to be "the world's foremost conservation leader for the 21st century." Globally, all eyes are on the Amazon rainforests, which scientists say are not only key ecosystems, but central to the ecosystem called Earth. The developed Western nations want to help South American nations, especially Brazil, conserve their rainforests. But they're providing a terrible example. While NASA satellite photos show 90 percent of Brazil's Amazon forests remain intact, most of Europe's original forests are long gone, and only 5 percent of the continental United States' forests have never been logged. In the Northwest, where the timber industry and the legislators they've got in their pockets have been screaming bloody murder over the slow-down in old-growth logging, only 10 percent of the original forests remain.

The Forest Service is a long way from being the "world's foremost conservation leader." But Clinton—who also promised in 1992 to "provide real international leadership to protect the world's delicate environmental balance"—can help it along. The Forest Service may be the wild dog of the executive branch, but he, as chief executive, can make it heel.

The first thing the President can do is make an effort to move the Forest Service from the Agriculture Department to the Interior Department, where the other resource agencies (like Fish and Wildlife and the Bureau of Land Management) reside. These agencies have overlapping domains, and having one of the biggest in a separate department makes it hard to coordinate policy. Next, change the budget incentives that reward the Forest Service for cutting trees, especially when it makes no sense to do so. As it is, the agency often sells its trees for little more than the cost of building the roads it takes to log them (and it pays for the roads too, since it considers them capital improvements). Then change the way local communities are compensated so they don't depend on heavy logging to pay for their schools.

Responsible forestry *will* mean, in some instances, that loggers and mill-workers lose their livelihood, and it's not fair to have them bear the entire brunt of the rest of the nation's benefit. President Clinton set a good precedent by including $1.2 billion to retrain and employ displaced timber industry workers in his Pacific Northwest logging plan.

But ignoring the warnings of scientists for short-term gains is no way to manage natural resources. If Jack Ward Thomas remains chief in a second Clinton term, let's hope he learns from his experience and moves more aggressively to conform the Forest Service to his vision of responsible, science-based forest management. If President Clinton decides to replace him, he needs to put a leader, and a team, in charge who can not only say "no more business as usual," but make it happen. ●


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# Memo *of the* Month

State and Consumer Services Agency

State of California

**M e m o r a n d u m**

Date : May 16, 1996

To : All Agency Secretaries
All Board and Commission Heads
All Department Directors

From : Department of General Services
Executive Office

Subject: PHASE OUT OF RUBBER STAMP SECTION AT THE OFFICE OF STATE PRINTING

During the past several years the Rubber Stamp Section at the Office of State Printing (OSP) has produced over a million stamps to serve the needs of all state agencies and the citizens of California. It has been determined that the rubber stamp business operation is not an OSP core competency; thus it will be closed.

In an effort to prepare you for this change you will find attached a list of private rubber stamp companies who have an interest in doing business with your agency. You are mandated by law to continue ordering rubber stamps at the Office of State Printing until June 30, 1996. Beginning July 1, 1996 you will have a choice to do business with private rubber stamp vendors or you may choose to continue doing business with OSP until their operation permanently closes. They will be accepting rubber stamp orders until September 30, 1996 and closing as of December 31, 1996.

The OSP Rubber Stamp Section appreciates all the work with which you provided them in the past 25 years. They have been honored to serve you. If they can help you in any way during this transition, or if you have any further questions or comments, please do not hesitate to call or fax them at the numbers listed below. Thank you.

PETER G. STAMISON, Director
Department of General Services

PGS:CMC:dmb

Attachment

OSP Rubber Stamp Section
(916) 445-2831 Telephone or (916) 322-4083 Fax



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# Bob Dole's Acceptance Speech

*Bob Dole's acceptance speech at the Republican National Convention was eagerly anticipated and widely praised. Beyond the pretty—even Helprinesque—prose, though, it represents perhaps the most comprehensive document of what, as of today, Dole will do as president (especially since he has done what he can to distance himself from his party's platform). Hence, the annotation—of inconsistencies, inaccuracies, and just plain bad ideas—that follows. President Clinton's speech had its problems—notably his preference for promising new government goodies for every class of Americans over taking on issues, such as entitlements, that require hard choices and sacrifice. Still, there were few surprises based on his record of the past four years. And of course, Dole didn't mention entitlements either—except to promise to protect them.*

Most of the problems Dole identifies would seem to predate Clinton's ascension. If values trickle down, as Dole argues here, our decaying moral fiber—much in evidence in the 1980s—is certainly as attributable to George Bush and Ronald Reagan as it is to Bill Clinton.

...to those who say it was never so, that America has not been better, I say, you're wrong, and I know, because I was there. And I have seen it. And I remember. And our nation, though wounded and scathed, has outlasted revolution, civil war, world war, racial oppression and economic catastrophe....

What enabled us to accomplish this has little to do with the values of the present. After decades of assault upon what made America great, upon supposedly obsolete values, what have we reaped? What have we created? What do we have? What we have in the opinion of millions of Americans is crime and drugs, illegitimacy, abortion, the abdication of duty, and the abandonment of children....

Only right conduct distinguishes a great nation from one that cannot rise above itself. It has never been otherwise. Right conduct every day at every level, in all facets of life—the decision of a child not to use drugs, of a student not to cheat, of a young woman or young man to serve when called, of a screenwriter to refuse to add to the mountains of trash, of a businessman not to bribe, of a politician to cast the vote or take action that will put his office or his chances of victory at risk but which is right.

Dole seems to have forgotten his opportunistic election-year conversion to supply side tax cuts, which he had long and wisely resisted, or indeed his own vice-presidential nominee's politically expedient decision to abandon long held positions on the rights of immigrants and affirmative action because the Dole-Kemp team thought it would enhance their prospects for victory.

And why have so many of us—and I do not exclude myself, for I am not the model of perfection—why have so many of us been failing these tests for so long? The answer is not a mystery. It is, to the contrary, quite simple and can be given quite simply. It is because, for too long, we have had a leadership that has been unwilling to risk the truth, to speak without calculation, to sacrifice itself. An administration in its very existence communicates this day by day until it flows down like rain and the rain becomes a river and the river becomes a flood....

Dole is right that values as well as economics matter. But he doesn't acknowledge the link between the two. An unmoderated free market economy inevitably encourages a profit-at-any-cost mentality, which leads to the sorts of activities, whether violent screenplays or businessmen offering bribes, he deplores.

Now, which is more important? Wealth or honor? It is not, as was said by the victors four years ago, "the economy, stupid." It's the kind of nation we are. It's whether we still possess the wit and determination to deal with many questions, including economic questions, but certainly not limited to them.

All things do not flow from wealth or poverty. I know this first hand, and so do you. All things flow from doing what is right. The triumph of this nation, the triumph of this nation lies not in its material wealth but in courage, sacrifice, and honor. We tend to forget this when our leaders forget it, and we tend to remember it when they remember it....In the last presidential election, in the last presidential election, you, the people, were gravely insulted. You were told that the material was not only the most important of these three but, in fact, really the only one that really mattered. I don't hold to that for a moment.

[But] No one can deny the importance of material well-being. And in this regard it is time to recognize that we have surrendered too much of our economic liberty.

I do not appreciate the value of economic liberty nearly as much for what it has done in keeping us fed as to what


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it's done in keeping us free. The freedom of the marketplace is not merely the best guarantor of our prosperity, it is the chief guarantor of our rights. And a government that seizes control of the economy for the good of the people ends up seizing control of the people for the good of the economy.

And our opponents portray the right to enjoy the fruits of one's own time and labor as a kind of selfishness against which they must fight for the good of the nation. But they are deeply mistaken, for when they gather to themselves the authority to take the earnings and direct the activities of the people, they are fighting not for our sake, but for the power to tell us what to do.

And you now work from the first of January into May just to pay your taxes,so that the party of government can satisfy its priorities with the sweat of your brow, because they think that what you would do with your own money would be morally and practically less admirable than what they would do with it. And that has simply got to stop. It's got to stop in America. It is demeaning to the nation that within the Clinton administration a corps of the elite who never grew up, never did anything real, never sacrificed, never suffered and never learned, should have the power to fund with your earnings their dubious and self-serving schemes....I say, let the people be free to keep as much of what they earn as the government can strain with all its might not to take, not the other way around. I trust the American people to work in the best interest of the people. And I believe that every family, wage earner and small business in America can do better if only we have the right policies in Washington, D.C.

And make no mistake about it: my economic program is the right policy for America and for the future and for the next century. And here's what it will mean to you:

- It means you will have a president who will urge Congress to pass and send to the states for ratification a balanced budget amendment to the Constitution. It means you will have a president and a Congress who will have the will to balance the budget by the year 2002.
- It means you will have a president who will reduce taxes 15 percent across the board for every taxpayer in America. It will include a $500 per child tax credit for lower- and middle-income families. Taxes for a family of four making $35,000 would be reduced by more than half, 56 percent to be exact. And that's a big, big reduction.
- It means you'll have a president who will help small businesses, the businesses that create most new jobs, by reducing the capital gains tax rate by 50 percent. Cut it in half.
- It means you will have a president who will end the IRS as we know it.

This is, to put it mildly, misleading. First, Dole is referring to all taxes that Americans pay: federal income tax, payroll and excise taxes, and state and local taxes. To attribute all of those to the "party of government"—i.e. the Democrats—is akin to, well, calling World Wars I and II "Democrat wars." In addition, Dole's tax cut addresses only the federal income tax, which constitutes only about a third of the taxes that were used to come up with the "January through May" construction. In fact, the typical American works only until January 30 to pay his or her federal income taxes, according to the Center for Budget and Policy Priorities. Second, Dole's calculus is based on "average" taxes paid. The problem, though, is that in a progressive tax system there's no such thing. Calculating averages—total taxes divided by total income—gives disproportionate weight to the larger taxes paid by the wealthy. Dole should use medians.

Finally, over three quarters of Americans pay more in federal payroll taxes than they do in federal income tax; the payroll tax, arguably, is the real burden on working men and women. Nothing in Dole's tax proposal addresses this fact.

Dole has yet to specify exactly how he will do this; his proposed tax cut would eventually add $132 billion a year (in 1996 dollars) to the federal budget deficit, according to estimates by Citizens for Tax Justice. Yet Dole has said Medicare, Medicaid, Social Security, veterans' benefits, defense spending, and energy labs are off limits for budget cuts. We are eager for an explanation of how he's going to balance the budget and fund his tax cut at the same time.

What Dole doesn't say is that, according to Citizens for Tax Justice, the richest 1 percent of all families would save an average of $29,000 a year in taxes under Dole's plan—and would get 27 percent of the total tax cut. (These figures are based on all the proposed Dole cuts, including the capital gains tax cut.)

The notion that slashing the capital gains tax in half will stimulate massive growth is a fallacy. The existing capital gains tax break already does more to funnel money to existing businesses than to small businesses, because it provides equal rewards for investing in new businesses and merely trading. Given that, who wouldn't play it safe by buying and selling the Standard & Poor 500, rather than investing in a start-up?



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• It means you will have a president who will expand individual retirement accounts, repeal President Clinton's Social Security tax increase, provide estate tax relief, reduce government regulation, reform our civil justice system, provide educational opportunity scholarships, and a host of other proposals that will create more opportunity, and security for all Americans and all across America. And I will not stop there. Working with Jack Kemp and a Republican Congress, I will not be satisfied until we have reformed our entire tax code, and made it fairer, and flatter and simpler for the American people. The principle involved here is time-honored and true: and that is, it's your money. You shouldn't have to apologize for wanting to keep what you earn. To the contrary, the government should apologize for taking too much of it.

The only Social Security tax increase Clinton enacted was on those able to afford it: seniors with incomes over $34,000. By Dole's own estimates, revoking that increase would mean the loss of $27 billion in revenues from 1993 to 2002.

As notable as what Dole addresses here is what he ignores: Will he protect Medicaid? What about Head Start? Dole doesn't mention any programs that help anyone but senior citizens. The elderly aren't the only Americans who need a helping hand from government; they just happen to be the most politically powerful.

The Clinton administration just doesn't get it, and that's why they have got to go....

I have learned in my own life, from my own experience, that not every man, woman, or child can make it on their own. And that in a time of need, the bridge between failure and success can be the government itself. And given all that I have experienced, I shall always remember those in need. And that is why I helped to save Social Security in 1983. And that is why I will be the president who preserves, protects, and strengthens Medicare for America's senior citizens.

But they don't have the same right to social services. The recently passed welfare reform law denies legal immigrants the welfare benefits available to citizens, and the immigration bill the Senate passed in May (which Dole voted for) would make it much more difficult for legal immigrants to obtain various federal services, from legal aid to Head Start.

Let me speak about immigration. The right and obligation of a sovereign nation to control its own borders is beyond debate. We should not have here a single illegal immigrant. But the question of immigration is broader than that, and let me be specific. A family from Mexico who arrived here this morning, legally, has as much right to the American dream as the direct descendants of the founding fathers.

The black troops Dole refers to were in the 92nd division because a segregated U.S. Army confined blacks to their own units, in only two divisions. None of the 1.2 million African Americans who fought in World War II received a Medal of Honor; 50 years later, the Army acknowledged that racism was the reason. When black soldiers were injured, they were usually placed in segregated hospital wards. And when they came home from the war, their "ethnic particulars" were very much an issue.

The Republican Party is broad and inclusive....The notion that we are and should be one people rather than "peoples" of the United States seems so self-evident and obvious that it is hard for me to imagine that I must defend it....

Dole is right to challenge the teachers' unions' priorities: As this magazine has many times noted, they too often put self-preservation over the interests of children. And he's right that Chelsea Clinton doesn't deserve a better education than any other Washington, DC, child. But the school choice and vouchers that Dole advocates aren't the answer. His "Opportunity Scholarships" would give 4 million low and middle income families $1,000 for a child in kindergarten through eighth grade, and $1,500 for a child in high school, to be applied to public, private, or parochial schools. The problem is that tuition at Chelsea's school starts at $11,851. No voucher is going to get an inner city child there. There are some inner city parochial schools with tuition as low as $1,300—but certainly not enough to accommodate all the children now stuck in sinking public schools. He's essentially advocating that we abandon the public schools; since most low-income children won't be able to afford a decent private school, that will mean a two-tiered (or, more accurately, multi-tiered) education system in which those with money have a way out, and those without are left on the Titanic.

The principle of unity has been with us in all our successes. The 10th Mountain Division, which I served in Italy, and the black troops of the 92nd Division who fought nearby, were the proof for me, once again, of the truth I'm here trying to convey. The war was fought just a generation after America's greatest and most intense period of immigration. And yet, when the blood of the sons of the immigrants and the grandsons of slaves fell on foreign fields, it was American blood. In it you could not read the ethnic particulars of the soldier who died next to you. He was an American....

The guiding light of my administration will be that in this country we have no rank order by birth, no claim to favoritism by race, no expectation of judgment other than it be evenhanded. And we cannot guarantee the outcome, but we shall guarantee the opportunity in America.

I will speak plainly on another subject of importance. We are not educating all of our children. Too many are being forced to absorb the fads of the moment. Not for nothing are we the biggest education spenders and among the lowest education achievers among the leading industrial nations.

The teachers' unions nominated Bill Clinton in 1992, they are


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funding his re-election now, and they, his most reliable supporters, know he will maintain the status quo. And I say this—I say this not to the teachers, but to their unions—I say this: If education were a war, you would be losing it. If it were a business, you would be driving it into bankruptcy. If it were a patient, it would be dying. And to the teachers' unions I say, when I am president, I will disregard your political power, for the sake of the parents, the children, the schools, and the nation.

I plan to enrich your vocabulary with those words you fear, school choice and competition and opportunity scholarships, all this for low and middle income families so that you will join the rest of us in accountability, while others compete with you for the commendable privilege of giving our children a real education.

There is no reason why those who live on any street in America should not have the same right as the person who lives at 1600 Pennsylvania Avenue, the right to send your child to the school of your choice. And if we want to reduce crime, if we want to reduce crime and drug use and teen pregnancies, let's start by giving all our children a first-class education.

And I also want these children to inherit a country that is far safer than it is at present....And as our many and voracious criminals go to bed tonight, at, say 6 in the morning, they had better pray that I lose the election. Because if I win, the lives of violent criminals are going to be hell.

During the Reagan administration, we abolished parole at the federal level. In the Dole administration, we will work with the nation's governors to abolish parole for violent criminals all across America. And with my national instant check initiative, we will keep all guns out of the hands of criminals. And I have been asked if I have a litmus test for judges. I do. My litmus test for judges is that they be intolerant of outrage, that their passion is not to amend but to interpret the Constitution, that they are restrained in regard to those who live within the law and strict with those who break it....

And for those who say that I should not make President Clinton's liberal judicial appointments an issue of this campaign, I have a simple response. I have heard your argument; the motion is denied....

And it must be said: Because of misguided priorities, there have been massive cuts in funding for our national security. I believe President Clinton has failed to adequately provide for our defense. And for whatever reason his neglect, it is irresponsible. He believes that defending our people and our territory from missile attack is unnecessary. I do not. And on my first day in office, I will put America on a course that will end our vulnerability to missile attack....

And I ask for your vote so that I may bring you an administration that is able, honest, and trusts in you. For the fundamental issue is not of policy, but of trust—not merely whether the people trust the president, but whether the president and his party trust the people, trust in their goodness and their genius for recovery....For the government cannot direct the people, the people must direct the government. This is not the outlook of my opponent—and he is my opponent, not my enemy....He and his party brought us the biggest tax increase in the history of America....

With my feet on the ground, and my heart filled with hope, I put my faith in you and in the God who loves us all. For I am convinced that America's best days are yet to come....

On the whole, Clinton's appointees to the bench haven't been all that liberal—certainly nowhere near as liberal as Reagan and Bush's were conservative. Clinton has concentrated on appointing moderates more notable for their diversity than their radical legal philosophy.

Dole's grasp on the facts here is slippery. Clinton spent $3 billion on a missile defense system in FY 1996 alone; he has adopted a strategy that would have a "test-ready" ballistic missile defense system ready by 1999. Then, if the system is deemed necessary, the deployment stage will begin. As of now, we don't have the technology for a missile defense system; deployment isn't yet an option. Not only that, but on one level, defending America against a missile attack is unnecessary—as of now, no country hostile to the United States has a long-range weapon able to reach an American city. (For more on Dole and Clinton's approach to missile defense, see "May the Force Be With You" in the September *Washington Monthly*.)

This is an oft-repeated Dole charge (on other occasions, he's claimed that the Clinton tax increase was the largest "in the history of the world"). Unfortunately, it's not true. In 1982 Dole pushed through the Senate, and Ronald Reagan signed, a tax increase nearly twice the size of Clinton's, when measured as a percent of GDP. The truth is that Clinton's tax increases (which, by the way, have helped halve the deficit during his term) raised taxes only on the top 5 percent of American families—and it lowered taxes on the bottom 10 percent.

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# Today's Landed Gentry

## *How our public education system rewards those who start out ahead*

### By Dante Chinni

In 1984 General Motors opened its Hydra-Matic plant in Warren, Michigan, began churning out transmissions and drive trains, and secured my high school education.

The plant did not give my parents a job or offer me a scholarship. Hydra-Matic changed my life simply by remodeling, retooling, and revitalizing an old factory near my home. The plant pumped $1.8 million in new property tax revenue into the community, and, for the Fitzgerald Public Schools—my school district—that money was manna. In the early 1980s, Fitzgerald, faced with a community weary of tax increases, was forced to consider cutting nonessential programs like music, gym, and, most important to me, the school newspaper. But the cuts never happened. Instead, Hydra-Matic moved in, ended Fitzgerald's fiscal crisis, and assured steady funding for years to come.

Why Fitzgerald got lucky is not the point. The fact that Fitzgerald had to rely on luck is. Luck was a key factor in the education of many Michigan students at the time and still is for students in many other states. Why? Because their primary source of education dollars is local property taxes—which means large portions of school funding come from local homeowners and businesses. In such a system, one GM plant or affluent enclave can dramatically tip the funding scales and mean the difference between old or new books, large or small classes, or the existence or nonexistence of a school newspaper. A few years ago Michigan decided that luck was not a good way to determine what kind of education a child gets, and it changed its funding system. Now, mostly because of lawsuits, many other states are considering the same thing.

Dante Chinni *is a reporter-researcher at* Newsweek.

More than 20 states throughout the country are in the midst of legal challenges over whether their school funding systems are adequate and equitable. And in 17 of those states, local property taxes are either the primary means of funding education or a very close second. The issue in these cases is this: Why, when education is a right guaranteed by the state constitution, should the money to provide a public education come from localities? Or, basically, why should the amount spent on a child's education be determined by where his parents live? Many times state courts provide a simple answer: It shouldn't. But in reality, change is not so easy. School funding reforms are often half-hearted, partly successful efforts that end up back in court, because in states where local property taxes rule school funding, a powerful combination of money, politics, and deeply rooted tradition stands in the way.

#### A Taxing System

Any talk of changing the way the public schools are funded inevitably runs up against "our grand national tradition of local school control." That we have a national tradition of local funding is inarguable; whether it is grand is subject to question. One could just as easily call our tradition the result of bad historical timing.

Today's public schools have their origin in the common school movement of the mid-1800s, before which schools had primarily been reserved for the rich. The movement pushed to make education a right instead of a luxury and, as it gained momentum, the people clamored for schools. They turned to the states, and the states, which did not yet have income or sales taxes as options, turned to the only thing they could, the levy that had existed in some form since colonial times: property taxes. States granted local


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districts the right to tax their citizens, and the American tradition of local school taxation and control was born.

The system's problems were apparent right from the start. In the days before state aid—and General Motors—poor districts had nowhere to go for funding help. When poor schools ran out of money, their doors closed and the school year came to an abrupt end. Those drastic funding problems were slowly mended with the rise of state income taxes in the 1910s and state sales taxes in the 1930s, both of which gave the states new revenue streams to tap. Until then, property taxes accounted for 80 percent of all state and local tax collections.

But disparities remain. Although on average the states pick up almost half of the cost—47 percent—of public schooling (localities provide 46 percent and the feds 7 percent), some states rely much more heavily on property taxes than others. In New Hampshire, for instance, 89 percent of public school funding comes from local property taxes. But even in states where the figures sound a bit more evenly split, there are often wide disparities in per-pupil funding.

**A student in Alpine, NJ, will receive $13,394 in general education spending. If her family moves just five miles down the road, that figure drops by $5,505.**

New Jersey's local/state funding split, 54 percent to 43 percent, sounds fairly even, but the state supreme court says it is not good enough. Why? The towns of Alpine and Closter suggest an explanation. The metro New York–area cities sit next to each other on New Jersey Route 502. But their public school students get vastly different treatment. A student in Alpine, a small, well-to-do district, will have $13,394 spent on her general education this year. If that student's family suddenly decides to relocate to Closter, that figure drops to $7,889—a $5,505 difference in a five-mile move.

A short cruise down Route 502 makes it clear where that money goes. Lined mostly with good-sized colonials and ranches, Closter is a pleasant upper-middle class community—a nice place to live and raise a family. The city's two-story red brick Tenakill School is old (built in 1929), but quaint, and undergoing renovations. Most of its classrooms feature single computer stations where old IBM clones or Apple IIe's sit. And the student/teacher ratio is a healthy 21-to-1. But from the other side of Anderson Road, where Alpine begins, Closter looks like just another district struggling to keep afloat in an era of property tax revolts. In Alpine, where most homes are more easily measured by the acre than the square foot, property taxes fund 88 percent of school costs. And Alpine School, a sprawling 1960s-era building set back off the road in an idyllic tree-covered nook, features all the extras one might expect. Alpine's 180 students are required to take French or Spanish from first grade on up, and each day brings students two English classes—one for reading and one for writing. Macintoshes are the rule in the classroom and are plentiful. (The superintendent apologized for the one Apple IIe we saw.) Most important is Alpine's amazing 7-to-1 student/teacher ratio—a figure three times better than Closter's.

Until recently, Michigan faced the same situation. In 1993, Oakland County had both the state's best-funded district and one that ranked 341st. That year, the Bloomfield Hills School District, in one of metro Detroit's swankiest suburbs, spent $11,664 on each child's education. Bloomfield's students benefitted from a 16-to-1 student/teacher ratio and the option of spending half days or days at the district's Model High School, which featured state-of-the-art computers and communication technology. In addition, parents could opt to send their children to a special extended-school-year program that would have kids in the classroom from August until June.

Meanwhile, the Brandon School District, in considerably less posh Ortonville, was limping along at a $4,621-per-pupil clip—a whopping $7,043-per-pupil gap. Brandon's students had a 27-to-1 student/teacher ratio, and the high school had only one computer lab stocked with outdated IBMs. In 1993, largely because taxpayers were balking at high property taxes, Michigan's funding system was junked. To their credit, Governor John Engler and the Republicans in the legislature took it upon themselves to create a more equitable system that relied on an increased sales tax, increased "sin" taxes, and a new state-controlled property tax. Before the change, more than 60 percent of public-school funding came from localities; afterward,



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about 80 percent came from the state. In large part, Michigan's schools now have their budgets set by the state, which is slowly leveling out funding disparities over time. And the voters, who approved the new system by a 70-30 margin, are pleased. Their taxes are down, and their schools have not suffered.

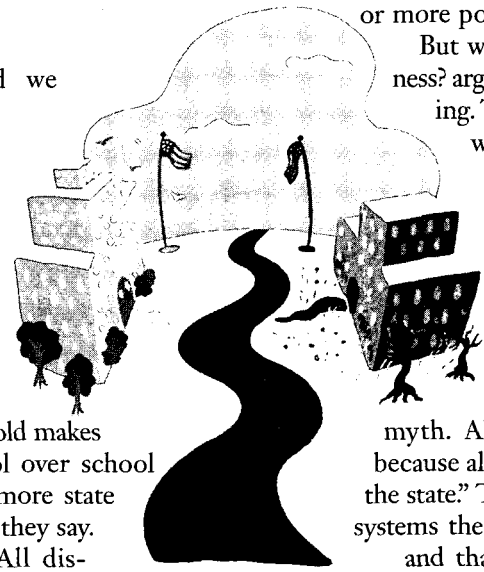
### Pro Status Quo

Michigan's success should not really be studied so much as it should be marveled at. Usually, any attempt to tamper with the "grand national tradition" of local school funding is quickly shouted down. And, of course, the ones usually doing the shouting are parents in wealthier towns. Generally, their arguments can be classified into three main themes: Local control is the soul of our public schools; spreading money will mean defunding excellence; and we should be free to spend as much as we want on our children.

All these arguments have a ring of high-minded truth to them, but examine them a little harder and they begin to sound hollow.

Those who argue from the premise of local control fear changes because of the "golden rule" of finances—he who has the gold makes the rules. Giving the state control over school funding would inevitably lead to more state involvement in spending decisions, they say. Well, maybe, but probably not. All districts—urban, suburban, or rural—have different spending priorities, and none of them want the state government telling them what to do. Even local funding opponents like Mike Casserly, executive director of the Council for the Great City Schools, support local control of spending; he calls it "alive, well, and justified." And state houses, generally well attuned to their constituents, don't want a heavy hand to cause a taxpayer revolt.

As for "defunding excellence," consider the state highway system. A state's highways, like its schoolchildren, have an effect on everyone within the state's borders. Both are critical to commerce and the state's future. What if each community were allowed to spend whatever it wanted on the stretch of highway that ran through it? A rich community might use all the latest technology to make driving smooth and safe. It might, in fact, overspend. Another community might not have the money to pave the highway at all, and its dirt road might lead to numerous traffic fatalities every year. If the state were instead to pool the resources of its communities and create a more uniform system of highways that was safer for all, would it be "defunding excellence" or getting rid of dangerous stretches of highway? It's the same with public education. Smoothing out the disparities between districts is better for all in the long run. Better educated youths mean better workers and parents and lower welfare rolls in the future. And eliminating massive disparities doesn't have to mean complete equality, just more similarity. Just as some cities will still spend extra on their roads for things like wider shoulders and quicker repair of potholes, some school districts will spend slightly more for better libraries or more powerful computers.



Dan Yaccarino

But why is this even the states' business? argue the advocates of local financing. This is our money, they say, and we should be able to spend it in any way we like. A compelling argument, perhaps, but its foundation is shaky. "Local control is not written into legislation," says Faith Crampton of the National Conference of State Legislatures. "It is a tradition, a myth. All those taxes are state taxes because all those districts are creations of the state." The states give the local finance systems the right to exist, Crampton says, and that right can be withdrawn any time the state has the political will (and votes) to do so.

### Evening the Odds

So what is to be done? The most equitable solution would be to have federal financing for schools on a per-pupil basis; that would eliminate inequities not just between districts, but between states as well. Given that that's about as likely right now as a return to the Great Society, there are other solutions. The best move would be to replace local property taxes with a state property tax and redistribute the money to local school districts on a logical per-pupil formula. If possible, it should take into account the specific features of each locality—factors like the cost of transporting students and the cost of living for teachers. Although a state property tax need not be the only funding source, it would have a lot of benefits. Property taxes do not fluctuate with economic cycles the way sales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and income taxes do, and land assets are difficult to hide.

Ideally, school districts should have no additional taxing power for education. Parents could donate money to the school for, say, extra computers or a language club, but that would be it. That's the best way to ensure equal educational resources. But short of that, any new funding system should at least put a cap on local education funding. "Without a cap," says Mary Fulton of the Education Commission of the States, "you can narrow the gap for a while, but soon the rich districts spend even more and you are back where you started." New Jersey and Michigan are good examples here. Michigan included a cap in its plan, and it is on the road to better equity. New Jersey tried to reform its system years ago without implementing a cap, and now the state is forced again to deal with the equity issue. A cap would also provide a means by which to hold down teachers' salaries and administrative costs in districts where those things have gotten out of control. There comes a time when even someone with a die-hard commitment to education has to ask if it really costs $14,000 a year to educate a child.

Casserly's group, the Council of the Great City Schools, is currently working on a model state finance package it hopes to release this fall. That plan will have one key principle, says Casserly: "Public education is not one of those things you should be able to flee from or flee to. It should not have to do with how rich you are or how poor you are."

And that is the real problem with local school funding. In the states where local property taxes rule, the public schools aren't public schools at all. They are, in effect, a series of private community schools with each community deciding not only what a good education is, but how much should be spent on it. That means children receive an education according to their parents' income level, with the money spent usually having an inverse relationship to need. Rich students, who go home every night to computers and educated parents, have the most spent on their education. Poor students, who often head home to uneducated parents and long nights of television viewing, usually end up getting less. The public sector should not compound the inequality.

Eliminating local property taxes as a major source of school dollars would go a long way toward removing luck from the equation of a sound education. Children, unlike adults, have no control over where they live. And come graduation day, they should not have to thank their lucky stars—or General Motors—for a good education. ●

# The Washington Monthly *Journalism Award*

JULY 1996

## PETE CAREY AND ESTHER SCHRADER

"Bittersweet Charity: Failing Mexico's Poor"
*The San Jose Mercury News*

*After donating money or old clothes to a well-established nonprofit, you congratulate yourself on the good you've done for some poor Mexican village. Little do you know that the money went to an irrigation project that was abandoned halfway through, and the clothes are mildewing in a warehouse or have been commandeered by Mexican officials for sale on the black market.*

*Carey and Schrader spent five months tracing how good intentions have gone awry in the flow of cash, goods, and services from U.S. nonprofits to Mexico. Some charities compete for funds by tailoring projects to appeal to American sensibilities, not Mexican needs; the result is wasted giving and cultural resentment. (One Chiapas pastor complained that U.S. churches were shipping peasant women bras and high heels; the women wear neither.) Other nonprofits never bother distributing the goods they collect. And still others fall victim to corrupt Mexican aid workers or border officials—and have even resorted to smuggling in needed food or medicine.*

*Amid this bleak picture, Carey and Schrader deserve credit for providing a road map through what they aptly describe as an "Alice-in-Wonderland world": They offer advice on how to make your giving count by being an informed "consumer" of the charities vying for your contribution.*

THE MONTHLY JOURNALISM AWARD is presented each month to one or more newspaper, magazine, radio, or television stories (or series of stories) that demonstrate a commitment to the public interest. We are particularly interested in reporting that explains the successes and failures of government agencies at all levels and of other institutions such as the media, corporations, unions, and foundations that contribute to the existence or solution of public problems. Please send nominations (including two copies of the article or broadcast text) to Monthly Journalism Award, 1611 Connecticut Ave. NW, Washington, DC 20009. Nominations for stories run in September are due October 15.



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# Tidbits & Outrages

### Saving Himself for Newt

During a pre-convention motorcycle rally led by a dozen Republican congressmen, Dick Armey refused to let Trent Lott ride on the back of his bike. "I don't carry dead weight, and I don't want anybody saying Trent Lott is my 'old lady' either," he said.

### Other Postings Available in Sarajevo, the Paris of the Balkans

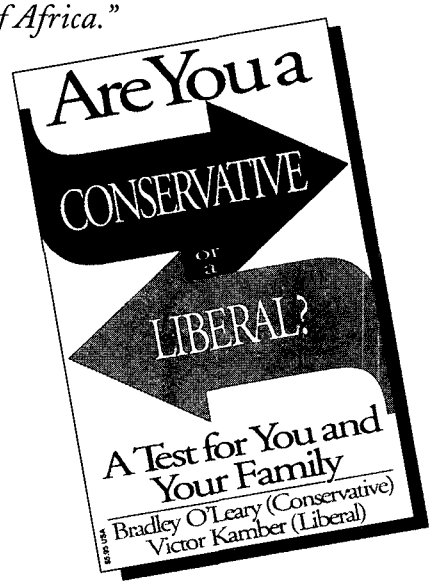
*The U.S. State Department published an employment notice for war-crimes investigators in "still-beautiful Rwanda, once considered the Switzerland of Africa."*

### Next Question: Boxers or Briefs?

Sample quiz question from the new book, *Are You a Conservative or a Liberal?*:

*Which TV show would you watch:*

*a) Walker, Texas Ranger*
*b) Friends*




### It's Noisy at the Top

"Throwing plates against the wall is one way top executives relieve stress, according to a recent survey by Accountemps, a temporary-help agency," the *Wall Street Journal* reports.

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### This Is Jack. See Jack ... Uh, Nevermind.

A federal appeals court in San Francisco ruled that a professor at San Bernardino Valley College should be free to use articles from *Hustler* and *Playboy* magazines, as well as his own published reviews of pornographic movies, to teach his remedial English classes.

### Does That Apply to Roommates?

*Brown University has a rule that forbids dorm residents from keeping "animals that cannot live underwater for more than 15 minutes."*



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# Uncle Sam's Corporate Lawyers

*And you thought welfare was a waste of your tax dollars*

BY RALPH NADER
AND WESLEY J. SMITH

THOUSANDS OF LAWYERS WORK IN-HOUSE at the various agencies and departments of the U.S. government. So it may surprise you to learn that more than 120 government agencies are permitted by law to hire outside lawyers and that, each year, the government pays approximately $600 million to those lawyers for representation in litigation or other legal services. This figure happens to be more than twice the amount the government gives the federally chartered Legal Services Corporation to provide basic legal representation to millions of low-income people.

And it gets worse. The government actually pays the legal bills of its outside contractors who run into legal trouble in the course of their work, even when that legal trouble is defending themselves against employees who blow the whistle on their illegal or unsafe activities. At the Department of Energy (DOE), the largest civilian user of private contractors in the executive branch, this indemnification scheme costs taxpayers approximately $30 million in legal fees and costs each year.

The DOE's own regulations require workers to report unsafe conditions. But when they do, DOE contractors can—and often do—use federal funds to battle those same workers. How can this be? To attract private sector companies to run its nuclear weapons programs, the DOE enters into deals that specifically protect contract companies from certain liabilities. This means that in addition to paying these companies' legal fees, the government may be responsible for money damages arising from their improper operations. The DOE accepts such a bad deal in part because it fears that, if contractors were responsible for their own legal costs and liabilities, they might frequently sue the government, claiming that government negligence or misconduct caused the harms alleged. By assuming the costs up front, DOE hopes to maintain greater control of litigation decisions.

Unfortunately, the real-life result is that the DOE allows its contractors to decide whether to defend a case, to choose the lawyers (subject to approval by the DOE), and to exert tremendous influence over decisions such as whether to settle or go to trial. Then, the government rubber-stamps the company's legal bills. This often forces whistleblowers into protracted litigation, fighting companies that want to beat them into the ground and that have little incentive to quit since taxpayers are paying the bills. Meanwhile, whistleblowers frequently must pay their own legal fees, even as they risk losing their jobs.

Just ask Ed Bricker. In 1977, he went to work at the Hanford Nuclear Reservation, a federal facility in Washington State that processes plutonium for nuclear weapons for the DOE. Under contract with the government, Rockwell International Corporation operated portions of Hanford from 1977 until 1987, when Westinghouse Electric Corporation took over the contracts. That same year, Bricker reported what he thought were safety deficiencies that could have exposed workers directly to plutonium, one of the most dangerous carcinogens known to humankind.

Bricker first noticed that alarms in his work area had been shut off because they were malfunctioning. That meant workers exposed to unsafe levels of radiation would not be aware of the contamination. Bricker also

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*Adapted from* No Contest: Corporate Lawyers and the Perversion of Justice in America, *copyright © 1996, published by Random House.*

RALPH NADER *is a national consumer activist.*
WESLEY J. SMITH *is an attorney, consumer advocate, and author.*



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noticed leaks at the "hood windows," through which workers observed plutonium processing and used insulated gloves to reach into sealed processing areas.

There was more. Bricker realized that the original schematic drawings of the plant had not been updated over the previous 30 years, even though the layout of the plant had changed. That meant there was no accurate map to safe and unsafe areas. The last straw came one day when Bricker walked into the plant control room and found no plant operator at the controls—only an engineer who clearly didn't know what to do in an emergency. "It was as if the whole plant was on autopilot. That was when I decided to nail my 'Ten Theses' to the church door."

Bricker complained about the safety deficiencies he had observed. He got nowhere going up the chain of command, so he took his complaints to *The Seattle Times*, which reported them. That, he says, "is when the campaign of harassment began."

**The DOE paid two law firms more than $1 million to fight its own worker. He had offered to settle for $65,000.**

"I was called a nitpicker and a troublemaker. I was called a 'government mole.' I was told that if I didn't stop complaining, the facility would be shut down and everyone would lose their jobs. I began to receive poor work performances. I was threatened. Petitions were circulated with management's active involvement stating that I had mental health problems. The icing on the cake came when my air equipment was sabotaged that allowed me to go safely into contaminated areas. I held my breath and ran out of the facility and passed out."

Bricker filed a formal complaint against Rockwell and Westinghouse with the Department of Labor, contending he was being harassed on the job because he had engaged in legally protected whistleblowing activities. After an extensive investigation, the Labor Department's Occupational Safety and Health Administration (OSHA) concluded that Rockwell Hanford had retaliated against Bricker for making the complaints, but that Westinghouse seemed to have attempted to correct the problem after taking over.

But Bricker contends even though the Labor Department report led to an agreement by Westinghouse Hanford officials to cease all harassment, the intimidation continued unabated. "The company was thumbing its nose at the Department of Labor and sending the message to other workers that it did not pay to blow the whistle because the government could not protect you," Bricker says.

Finally, after suffering years of abuse, Bricker gave the officials of Hanford what they so dearly wanted: He quit and took a job working for the state of Washington. Fittingly, he now is a state regulator overseeing some of Hanford's health and safety practices.

In August 1990, Bricker brought a lawsuit in the Yakima, Wash., federal district court against both Rockwell and Westinghouse, alleging that the companies had waged a campaign of illegal harassment because he blew the whistle. Despite the OSHA finding in his favor, and despite substantial reporting by the media on Hanford's harassment campaign, Rockwell and Westinghouse, with the support of the DOE, denied the charges and fought Bricker every step of the way.

Here's where the corporate lawyers come in. According to material supplied by the DOE under the Freedom of Information Act, the agency paid two Seattle law firms, Helsell, Fetterman, Martin, Todd & Hokanson and Davis Wright Tremain, more than $1 million in taxpayer dollars for legal fees and expenses to fight Bricker's claim. What makes that figure especially outrageous is that Bricker offered to settle his entire dispute with the companies for $65,000, which would have done little more than cover his legal fees. The DOE rejected this offer, according to Bricker's lawyer, as "outrageously high"!

How could these law firms spend so much money? First, Westinghouse and Rockwell appear to have authorized, and the DOE appears to have approved, a full-bore, all-out, spare-no-expense litigation. Then, the company representatives merely sent the legal bills on to the general counsel at the Richland, Wash., DOE office for rubber-stamp approval, after which the DOE accommodatingly wrote a check.

We reviewed the lawyer billing sheets charged in the Bricker litigation. They reveal that each month, the two Seattle firms billed the taxpayers (through Westinghouse or Rockwell) between $18,000 and $45,000. Thus, two or three months' worth of lawyering more than equaled the entire amount for which Bricker had been willing to settle his case. The bills show how many hours corporate lawyers, billing at high hourly rates, are willing to devote to cases, with tremendous amounts of time spent on reviewing


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records, pleadings, correspondence, deposition notices, responses to discovery, writing memoranda, revising memoranda, conferring, telephoning, and so on.

Legal expenditures on the Bricker case achieved their desired effect: stalling a final resolution of Bricker's claims. In September 1991, Hanford lawyers convinced the federal trial judge that Hanford employees, who worked for a private company rather than the government, had no right under federal law to recover damages for whistleblower harassment. Because all of Bricker's other claims arose under state law, the federal judge ruled that he had no jurisdiction to hear the case. Two years later, the U.S. Court of Appeals for the Ninth Circuit affirmed that decision, and in October 1994 the U.S. Supreme Court refused to review the lower court rulings. Bricker would have to start all over again, with fewer legal claims, in state court.

The DOE approved the settlement of these remaining state law claims against Rockwell and Westinghouse in December 1994. Bricker got $200,000. As late as August 1994, the DOE Richland Field Office had offered only $25,000. Bricker's lawyer, Tom Carpenter, reports, "It was only through Washington headquarters' intervention that a reasonable settlement figure was offered." (The DOE's contractors admitted no wrongdoing. Officials at the DOE Richland office did not make themselves available for comment.)

Meanwhile, the government had spent more than $1 million on outside attorneys' fees and costs in resisting Bricker's legitimate claim—plus costs incurred by assigning the DOE's own in-house lawyers to the matter. Only the corporate lawyers, who received fat fees for throwing legal obstacles in the way of a clearly meritorious case, suffered no adverse consequences from the litigation.

Government payouts of taxpayers' money to corporate lawyers representing private interests are in no way limited to controversies involving the DOE. For example, when health care corporations are denied Medicare benefits for services rendered, the government pays their legal fees, win or lose. Indeed, as a recent General Accounting Office report showed, 11.1 percent of one company's Medicare payments were reimbursed legal fees. (The company's name was kept confidential by the GAO.) The average proportion of legal fees to total Medicare payouts to providers was 3.3 percent. That represents many millions of dollars that could be better spent on citizens in need of health care than on lawyers representing corporations, sometimes against the very government that is paying their bills.

## Power Billing

If you think it's bad that the government is paying for high-priced lawyers, how would you feel if you knew it was overpaying them? In too many cases, that's just what's happening. It's actually not that surprising: When government agencies retain outside lawyers, they usually turn to the same large firms that represent the country's major corporations. Many of those corporations have long been taken for a ride by power law firms. Why should the government get treated any differently?

Consider just one case that has come to light, involving the two agencies responsible for by far the most hiring of outside lawyers: the Resolution Trust Corporation (RTC) and the Federal Deposit Insurance Corporation (FDIC), both of which have had key responsibilities for regulating the country's financial institutions. (The RTC, which was established to clean up the savings and loan debacle, has subsequently fulfilled its mandate and been shut down.)

When the RTC and FDIC contended that the investment banking firm Drexel Burnham Lambert and its employee Michael Milken had fraudulently rigged the market for high-risk junk bonds—resulting in, among other things, the collapse of 45 federally insured savings and loans—Drexel and Milken were already in deep, documented trouble. The agencies were alleging more than $2 billion in damages, and they sought to recover $6.8 billion from Milken and other Drexel and savings and loan executives. They hired Cravath, Swaine & Moore and its top litigators, Thomas Barr and David Boies. In March 1992, Cravath concluded a settlement that resulted in a $500 million payment from Drexel and Milken to the government—only 25 percent of the claimed damages.

The government's agreement with Cravath guaranteed the firm's senior partners a $300 hourly billing rate and other partners $250 per hour, with a major bonus built in: If the Cravath lawyers obtained $200 million or more for the government in the case, senior partner fees would double to $600 per hour, partner fees would increase to $425 per hour, associate fees to $270 per hour, and paralegal fees to $85. Tallying up all its efforts, Cravath submitted a bill for about $40 million.

Considering its rather high hourly rates, Cravath might have been satisfied with a straightforward accounting of reasonable time and necessary expenses. But it wasn't, as an investigation by the RTC's inspector general (the office in charge of RTC internal investigations) made clear. The investigation spot-checked the overall bill. Although the inspector general's office concluded that Cravath "typically verified through sup-



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porting documentation" that expenses billed were accurate and related to the case, it questioned many of the charges. For the three months—out of a 17-month representation—that were closely reviewed, the inspector general challenged or found improper $379,000 in fees and expenses. The inspector general also questioned $165,069 in "overhead" charges over the entire 17 months, as well as $60,000 for five months' worth of undocumented photocopying charges. The report added that "a detailed review of charges relating to other months would undoubtedly reveal additional unallowable charges."

Included in the disputed $165,069 for "overhead expenses" were charges for use of Cravath's in-house computer systems ($58,494), office supplies ($57,314), transmitting document facsimiles ($1 per page for all outgoing transmissions, totaling $45,924), and binding documents ($3,337). According to the report, Cravath had billed the government in the same manner it billed its corporate clients, despite restrictions in the retention agreement with the government prohibiting such charges. Cravath also charged the federal agencies for a

# Who's Who

*By Susan Threadgill*

- *A Call Girl's Calling*
- *Runaway Reich*
- *Kemp's Convenient Injuries*
- *Fighting Over Susan Thomases*

Yet another Clintonite making plans to skip town after the elections: **Robert Reich**....

As **Chelsea Clinton** ponders where to attend college (she's leaning toward Brown), her father supposedly has been reminiscing to friends about his own college application process. He was waitlisted at Georgetown, a fact he's still pissed about....

**Jack Kemp** did not let his football injuries get him down. Indeed, it might be said that he made the most of them. One, a shoulder injury, got him excused from a call-up of Army Reserve during the Berlin Wall crisis of 1961. Another, to his knee, provided the justification for his flying first class while he was HUD secretary. One interesting fact about the 1961 episode is that the shoulder injury did not prevent Kemp from continuing to play football. Another, according to **Douglas Frantz** of *The New York Times*, is that a less prominent teammate of Kemp's, **Ron Mix**, was called up by the same reserve unit even though he was the sole supporter of his mother....

Apparently **Susan Thomases**'s husband hasn't forgotten a less than flattering piece the *Washington Post*'s **Lloyd Grove** wrote about her several years ago. The two men almost came to blows at a convention party in Chicago....

Did **Ronald Reagan** dye his hair? No, says his former handler **Mike Deaver**, who recently told *Vogue* that the Gipper used "Brylcreem to make his hair photograph wet and darker. In person, it was actually chestnut brown with gray all through it."...

Speaking of HUD, what was **Jack Kemp** doing when he wasn't flying first class? Not much, according to **Steven A. Holmes** of *The New York Times*. Kemp's highly touted program to encourage public housing tenants to buy their apartments succeeded in selling only 135 units out of a total of 1.3 million....

Although **Dick Morris** is not a very popular fellow at the White House these days, his strategy remains influential in the thinking of his former allies, who more than occasionally included **Mike McCurry**, **Don Baer**, **Bill Curry**, and **Bruce Reed**, not to mention **Al Gore** and **Bill** and **Hillary Clinton**....

Now that **Don Sipple** and **Mike Murphy** have been replaced as the **Dole** campaign's top ad strategists by **Alex Castellanos**, **Chris Mottola**, and **Greg Stevens**, the campaign will be run by that triumvirate as well as campaign manager **Scott Reed**, campaign chairman **Donald Rumsfeld**, political director **Jill Hanson**, communications director **John Buckley**, pollster **Tony Fabrizio**, **Paul Manafort**, and **Rick Davis**....

Speaking of **Morris**, the man **Clinton** assigned the task of getting Morris's resignation, **Ersk-**


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New York hotel room for a lawyer who lived in the New York area and for a weekend hotel stay for a lawyer not working on government matters over that weekend. Out of $43,526 claimed for three months' travel expenses by Cravath, the RTC inspector general disallowed $10,763 and recommended that Cravath's $308,081, 17-month travel claim be subjected to further auditing.

The inspector general also found that Cravath had overbilled hours. One energetic Cravath attorney had charged for a 26-hour day. In that instance, the inspector general reduced the allowable hours by two, allowing a 24-hour billed day despite "serious reservations about the effectiveness of individuals working these type of hours." Cravath had also charged $22,095 for "learning curve costs" and $9,639, according to the report, "for services rendered by employees who were on vacation or sick leave."

Cravath eventually agreed to reduce its payment, although we have been unable to confirm the amount it ultimately received. The RTC advised us that it has performed no further audits of the Cravath bill. Cravath declined to respond to repeated requests for comment.●

**ine Bowles**, is said to be slated to replace **Leon Panetta** as White House chief of staff in the second term....

If you got the idea from films like *JFK* and *Nixon* that **Oliver Stone** was a dedicated opponent of secrecy, you should understand that he makes one exception—for himself. Or so it appears from his recent successful effort to keep secret a memo **John Dean** wrote Stone while Stone was working on the movie about Dean's former boss, **Richard M. Nixon**. Does the memo object to the script? Is it embarassing to Oliver Stone? We'll never know because he's made sure it stays secret....

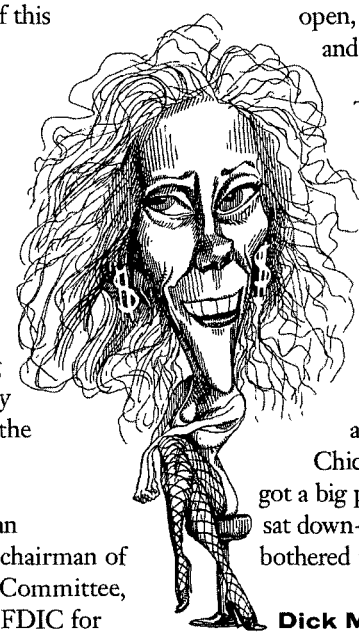
As we go to press there is a struggle going on between **Jack Kemp**'s and **Bob Dole**'s aides over Kemp's desire to have **John P. Sears** as an aide. The problem is that Sears, who is said to have been of major help with Kemp's acceptance speech, has made a number of enemies among Bob Dole's advisers. Chief among them, according to **Robert Novak**, who has excellent sources inside the GOP, is **Lyn Nofziger**....

Did anyone else notice the irony that while **Harold Ickes** and **Dick Morris** had been sparring over Morris's hotel minibar tab, the fact that Morris was staying in a $440-a-night room at the Jefferson on party funds wasn't an issue?...

**Jim Boren**, who is running for a Senate seat from Oklahoma, has long been a favorite of this magazine. He is the founder of the International Association of Professional Bureaucrats and the author of the organization's motto: "When in doubt, mumble."...

In a legal proceeding that has received very little attention from the press, **Henry Hyde**, the prominent Republican congressman who is chairman of the House Judiciary Committee, is being sued by the FDIC for gross negligence as a director of an S&L whose failure cost the taxpayers $67 million. What interests us is that the House Ethics Committee has given Hyde permission to use campaign funds to pay his legal expenses. Doesn't this mean that Hyde should support similar permission for **Bill** and **Hillary Clinton**?...

When **Susan McDougal** was asked on ABC's "PrimeTime Live" if she knew of any lies the **Clintons** had told, she answered "No." But then she added, "I would have to say that in some cases I have wondered why they couldn't tell...everything just out, open, honest and simple and easy." Amen....



Roman Genn

The change in the Democratic Party between 1968 and 1996 may have been best summed up by a reception given **Tom Hayden** at a fancy party at a large lakefront apartment in Chicago. He came in, got a big plate of food, and sat down—and no one bothered to talk to him....

**Dick Morris**'s friend, **Sherry Rowlands**, "is a call girl who missed her calling," writes *The Washington Post*'s **Mary McGrory**, who observes that if Ms. Rowlands could feign excitement at hearing advance readings of all those political speeches, she "is an actress of **Sarah Bernhardt** stature."...



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COVER STORY

# The GOP's Great Black Hope

*He talks like Kemp but votes with Gingrich. Whose side is J.C. Watts on?*

BY AMY WALDMAN

BY THE TIME Julius Caesar Watts Jr. enrolled at the University of Oklahoma in 1976, the ghost of Ada Lois Sipuel had long since disappeared. Where Sipuel needed a young Thurgood Marshall and the Supreme Court to force her admission to the university's law school in 1948, Watts was recruited to quarterback the football team. Where Sipuel had to sit alone in class behind a sign that said "colored" and eat behind a chain in the cafeteria so she wouldn't mix with white students, Watts freely roamed the campus.

That no trace of Sipuel's struggle marred Watts's stay at OU was, inarguably, a sign of progress. But to Watts's uncle Wade, it is also a sign of a problem. The 77-year-old had helped fight the battle for Sipuel and then went on to head the state chapter of the National Association for the Advancement of Colored People for 16 years. To him, the ease with which J.C. Watts has made his way in the world also made it easy to turn his back on the party that helped smooth his passage. "If we hadn't gotten [Sipuel] in," Wade Watts says angrily, "he never would have had a chance to show how good he was at football.... He couldn't have stuck his head in the door."

The elder Watts, a lifelong Democrat, is winding down his days as a pastor at Jerusalem Baptist Church in McAlester; the younger Watts, the freshman congressman from Oklahoma's Fourth District, is currently the most prominent elected black Republican in the country. His uncle says he is proud of J.C., but disappointed that he has lent his name, his vote, and his face to a party and philosophy that contravenes the interests of "poor people, working people, common people." The younger Watts argues that the fact that he could choose to be a Republican is a step forward, that for too long blacks have felt bound by history to a Democratic Party that hasn't rewarded their loyalty or earned their support. Somewhere in between lies an answer to the question of how much success the Republicans will have—and how much they deserve—in their quest for the black vote.

### Tending the Flock

Jack Kemp once called African Americans "that stray, lonely, lost lamb who has been left out of our coalition." His selection as Republican nominee for vice president signaled that the party was serious about bringing the lamb back to the fold; the "party of Lincoln" convention in San Diego confirmed it. Network cameras obligingly zeroed in on black faces in the crowd. Colin Powell gave a prime time speech. Elizabeth Dole stopped to embrace a black Capitol Hill guard as she emoted her way around the convention floor. Kay Cole James, a black Virginia delegate, was given the very visible task of tallying up the votes for Bob Dole. And there was Watts, whose simple, stirring speech won raves. "Character is doing what's right when no one's looking," he lectured the nation's children, and


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then defended the GOP as the party of true compassion: "We don't define compassion by how many people are on welfare, or AFDC, or living in public housing"—but how few. Marrying the athletic charisma of Jack Kemp and the eloquence of a Baptist minister (which he is), the burly Watts was a potent messenger.

The wooing continued after the convention. Bob Dole, who had spurned the NAACP as a group he couldn't "relate to," made a conciliatory appearance before the National Association of Black Journalists to announce that he would solicit African American votes. He also offered a mea culpa: Since the time of Frederick Douglass's Republicanism, Dole said, "Republicans were sometimes on the sidelines of struggles when they should have been at the center." And in early September, Jack Kemp went to Harlem.

**For Watts, the way Democrats took his family for granted became a parable for how the party has treated blacks in general.**

The GOP faces a steep uphill battle. Only 8.7 percent of African Americans identify themselves as Republicans, as do fewer than 80 out of 8,800 elected black officials nationwide, according to the Joint Center for Political and Economic Studies, a Washington, D.C. think tank that studies the black polity. Since the early 1960s, when the Democrats became the party of civil rights and the Republicans the party of "states' rights," blacks haven't given a Republican presidential candidate more than 15 percent of their vote. The real split in the black community is between those who vote Democratic and those who don't vote at all. That seems unlikely to change this year: Polls indicate Dole won't get any more of the black vote than his recent predecessors have; tarred with the extremism of the Gingrich Congress, he may get even less.

Still, there is an opening. Growing numbers of African Americans identify themselves as independent, and some recent Republican gubernatorial candidates have managed to snag substantial numbers of black votes. Ohio Governor George Voinovich, for example, got 40 percent in his 1994 race. And the GOP has its eye on the long term as much as on November: To secure their majority, Republicans point out, they would need just 25 percent of the black vote in 23 states where black voters are concentrated.

Especially heartening to Republicans is what the Joint Center calls the "partisanship-ideology gap." Polls show that even though they vote Democratic, approximately a third of African Americans identify themselves as conservative. Black voters have made their political home in a party with which they may have common cause on racial issues, but not necessarily common values. Thus, the new effort to ensure that Watts, only the second black Republican elected to Congress since Reconstruction, and the first from South of the Mason-Dixon line, is not an aberration, but a pioneer. "We are underperforming among black voters," says Haley Barbour, the Republican National Committee chairman. It's no accident that the barely seasoned Watts is a co-chair of Dole's campaign.

There are all sorts of reasons for more than GOP partisans to hope Watts heralds a detente between Republicans and African Americans. The 1994 elections were painful evidence of the risk blacks take by consistently voting with one party: Redistricting brought more black Democrats than ever to Congress (indeed, no black Democrat incumbent lost). But since the elections also ushered in a lily-white GOP majority, black Democrats were effectively marginalized—their committee chairmanships stripped; their caucus defunded.

The Republicans, of course, have won the presidency for 20 of 28 years without the black vote, and thus have felt comfortable writing it off—turning a deaf ear to African American concerns or capitalizing on white racial anxiety. If Republicans truly were to see blacks as a potential constituency, it would mean more sensitivity to black concerns. And a greater black voice in the party could give the GOP something of an internal conscience on race, a role Jack Kemp has tried to play with only limited success.

Breaking the Democratic monopoly on African American votes would diversify black leadership, too. Forged in the civil rights era, many black leaders never moved beyond treating their constituents as victims of their oppression. They needed to talk about personal responsibility—and potential—in addition to government solutions, particularly as a debilitating welfare culture took hold and the backlash against race-based policies and social spending grew. But that is a message



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Republicans have been more willing to deliver than Democrats.

So the possibilities from the racial integration of the Republican Party and the political integration of the black community are vast. The question is whether the Republican Party means what it says about inclusion, and whether it has black leaders who can deliver on the promise of integration. Is J.C. Watts that leader? That all depends on whether he's a general in Jack Kemp's revolution—or a foot soldier in Newt Gingrich's.

## Political Footballs

Four different people to whom I spoke about Watts brought up his visit to a faith-based drug rehabilitation program in San Antonio, where he knelt to pray with a recovering addict. It is, among conservatives who share a commitment to helping the down and out, the archetypal Watts image. "He didn't come to Washington to *be* something," says Robert Woodson, a prominent black conservative, close ally of Jack Kemp, and president of the National Center for Neighborhood Enterprise. "He already was something. He came here to *do* something."

What Watts wanted to do was take up the Kemp mantle, to craft policies to revive imperiled urban areas. So upon arriving in Washington, he immediately sought tutelage from Woodson about his favorite approaches for restoring low-income neighborhoods. Woodson took Watts on a tour of community-based programs across the country, including the one in San Antonio. Out of that came the American Community Renewal Act, a mammoth piece of legislation sponsored by Watts and Representative Jim Talent of Missouri. At its core are the enterprise zones long advocated by Kemp and Woodson, as well as other measures to strengthen civil society in low-income areas. Watts was adamant, Talent says, that if the Republicans were going to dismantle welfare, they had to put something constructive in its place. "He told the leadership that as we reform welfare, we need to get involved in increasing opportunity, and moral renewal and enterprise in the areas that have been welfare-dominated," Talent recalls.

Watts has more than once shown a willingness to take on issues that aren't exactly Republican perennials. He signed onto a letter from TransAfrica protesting human rights violations in Nigeria. He helped generate bipartisan support for efforts to rebuild burned churches in the South. And, through his words alone, he has provided a surprisingly mediating influence on the affirmative action debate.

There may be no other issue that so divides Americans—not so much against each other as against themselves—as affirmative action. Many Americans ostensibly oppose quotas, preferences, or anything else that predetermines who wins and who loses in a contest for a job, contract, or college admission. That's why Republicans have made "reverse discrimination" a rallying cry. But Americans also recognize that the starting line still isn't equal—that 20 years of affirmative action can't make up for 200 years of oppression, that discrimination against blacks probably still holds as many people back as affirmative action pushes ahead.

J.C. Watts shares this ambivalence. He is opposed to affirmative action "in principle," he explains in an interview, his cowboy boots propped on his desk. "I don't believe we should pick winners and losers based on skin color or gender." And he says that treating people as victims is no substitute for individual sweat and responsibility: "The group cannot get educated for you, the group cannot make responsible choices for you, the group cannot be a self-starter for you: We can lock horns as a group to fight racism and discrimination, but success has to come from the individual." This, he says, is a message Democrats have too rarely delivered.

Yet he also is unwilling to concede "that it's a level playing field out there." And he was uncomfortable with Republican attempts to politicize the debate. "I'd tell Newt Gingrich and Dick Armey, let's review the system, not turn it into a political football," he told *The Washingtonian*. America, he says bluntly, is in denial about its race problem. "We need to have an open and honest debate on the race issue," he says, not inflammatory rhetoric.

Watts's empathy for both sides of the debate translated into an attempt to tone down not just his party's rhetoric, but ultimately its legislative agenda. In the summer of 1995, Bob Dole and Representative Charles Canady introduced the Equal Opportunity Act of 1995, which would have outlawed all preferences, set-asides, or quotas in federal employment, contracting, or "any other federally conducted program or activity" (except for historically black colleges, which black conservatives had insisted be protected). It would have stripped the government of affirmative action, but put nothing in its place—which is why Watts ultimately refused to support it.

This summer, Dole quietly let the Equal Opportunity Act drop, and Gingrich didn't push it in the House. Certainly Dole's electoral calculus prompted his decision: The GOP is frantically trying to moderate its image before the election. But having Watts—and Gary Franks, the only other black Republican in Congress—openly oppose using affirmative action's repeal to score political points would have made the


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effort even more self-destructive.

Political expediency certainly inspired some of Watts's opposition to Dole-Canady. Even for black conservatives, affirmative action is something of a third rail: Oppose it, and your credibility in the black community dies. But Watts's willingness to express publicly his doubts about both affirmative action and the Republicans' attack on it did show political courage. Rare is the politician who will take on both a sacred cow and his party, even as he admits that he doesn't have the answers either.

So it's surprising that his family and friends treat his claim to have put the brakes on the Dole-Canady juggernaut with skepticism. "J.C. *claims* he's the one who saved affirmative action," says his uncle. "J.C. did tell me that affirmative action was fixing to get slam-dunked and he went and talked to Gingrich to get him to back off," Kevin Cox, a friend and black Democratic state legislator in Oklahoma, says. But then he adds, "But it was important for him to say that to me." What is it in Watts's past and record that generates such cynicism about whose best interest he has at heart?

## Opportunism Knocks

"I never thought the fifth of six children born to Helen and Buddy Watts—in a poor black neighborhood, in the poor rural community of Eufaula, Oklahoma—would someday be called congressman," Watts said in his convention speech.

The road that brought Watts to Congress began in Eufaula, a tiny town that even today boasts only some 3,000 people. Watts's father never made it through the seventh grade, and worked to support six children as a policeman, Baptist pastor, cattle owner—he was "a hustler in the best sense of the word," says one family friend. Watts claims his conservative values came from his parents, who raised him to believe in hard work and self-reliance: "My papa always said that the only helping hand you can rely on is at the end of your sleeve," he says in one of the smooth southern adages that color his speech.

J.C. Watts relied on his hands, his legs, and the instincts that made him a great football player to climb up and out of Eufaula. At age 14, his talent was discovered. He became the first black quarterback on his high school football team, a distinction some white teammates honored by walking off in protest.

Heavily recruited for college football, he signed at Oklahoma University. That may have had something to do with the influence of the family's lawyer and friend, state senator Gene Stipe, now the longest serving state legislator in the country. Stipe says he drove Watts up to OU to sign his letter of intent; he also says that "from time to time" when Watts was at OU, Stipe made Watts cash gifts "to help him through." That was par for the course for many college athletes, but it also seems to have begun a pattern in which Watts was on the receiving end of financial or political patronage, most often from more powerful whites.

Watts led the Sooners to two consecutive Orange Bowls; he was named MVP in both. Barry Switzer, Watts's coach at OU, and now the coach of the Dallas Cowboys, recalls running into Florida State coach Bobby Bowden just before the two teams were to face off in the Orange Bowl. Bowden had just heard Watts preach at a local Baptist church and was so impressed that he joked to Switzer, "If he plays football as well as he preaches, we're in trouble." Oklahoma went on to send a previously undefeated Florida State packing, thanks to two passes by Watts in the final seconds. That preaching skill, in turn, became one of Watts's more formidable political assets.

Watts left OU and went to the Canadian Football League. When he returned to Oklahoma in the 1980s, he began getting into business—and, it appears, in over his head. He invested in oil just when the market turned sour, then made a series of bad land investments. Over the next several years, he would face a series of legal actions for unpaid debts. Even today, while Watts is a millionaire on paper, thanks mostly to real estate holdings, he seems to be so financially strapped that he has repeatedly failed to pay his taxes on time.

Watts clearly was not cut out for business. And outside of the limelight, he seemed to miss public acclaim. "He likes to be heard," Switzer says. So Watts began to make a name for himself as a public speaker at various civic and Christian events; he became a youth minister at a mostly white church. But he had grander ambitions—specifically, running for office. Statewide office. The question was who would help him do it.

Watts's family has always been staunchly Democratic; and until 1989 Watts too was a registered Democrat—what Kevin Cox calls a "good Democrat." Now, it's certainly true that the differences between Republicans and Democrats in Oklahoma often range from slim to none. Geographically, Oklahoma straddles the South and Midwest; politically and culturally, it's more Southern, and even Democrats tend to be heavily conservative on social issues like abortion. In fact, Oklahoma Democrats are more likely to vote Republican than any state in the union. But one of the key differences between the parties is race: Democrats, while hardly universally enlightened, have tended to represent black and working class interests; Republicans, corpo-


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rate and white interests.

Watts explains his 1989 party switch this way: In 1980, as a journalism major at OU, he covered a debate between two Senate candidates and came away agreeing with the Republican, Don Nickles. His subsequent experience as a small businessman convinced him of the beauty of free enterprise. And his faith had already laid the tracks for his social conservatism.

But, in truth, Watts's conversion seems to have been more personal and practical than spiritual. Watts says the party let his family, particularly his uncle, down. "My uncle has probably delivered more black votes for the Democratic Party than any black person in the state of Oklahoma," he says, yet it was a Republican who gave him a state job. It's a ward heeler's conception of politics: You deliver for the party; they take care of you. Wade Watts does indeed say that "the only decent job I ever had in my life I got under a Republican." But whereas for him, that's just a fact, for J.C. it became a parable for how Democrats have taken all blacks for granted.

Mostly, though, the issue seems to have been not how the Democrats treated blacks, but how they treated Watts and his ambitions. Family, friends, and colleagues all tell essentially the same story. When Watts sought help from the Democratic congressional delegation to get a business project going, they gave him lip service. Republican businessmen, in contrast, helped him get a real estate project going. When he expressed his ambition for statewide office to Democratic party leaders, their enthusiasm was tepid. They told him, in essence, to get in line—that "there was no room at the table," says Kevin Cox. So as Cox puts it, "[He] said 'There's another table,' said grace, and sat down."

Watts was more than welcome at the Republican table. "You would have to have been a blind man not to see the potential," says Oklahoma Secretary of State Tom Cole, whom Watts went to see when he was considering switching. A good-looking black football star with statewide name recognition and a clean-cut image was a dream come true. (The word *USA Today* used to describe Watts after his convention speech was "non-confrontational.") So the Republicans embraced him. "Mickey Edwards [an Oklahoma Republican congressman] wrapped his arms around him and showed him he cared," says Cox.

Watts clearly knew where his bread was buttered. Blacks weren't a novelty in the Democratic Party; he wouldn't be a star attraction. And countrywide, black Democrats have had difficulty winning both white majority districts (Ronald Dellums is the only black Democrat in Congress who represents a majority white district) and statewide office (Douglas Wilder and Carol Moseley-Braun are exceptions). Democrats weren't going to invest heavily in Watts because they didn't think he could win. Even his uncle says, "I don't think he would have gotten off the ground as a Democrat."

**After Watts went Republican, "his political career took off like a rocket," says a friend.**

In the GOP, in contrast, Watts's rarity made him a valuable commodity. "By supporting him so fervently," Tom Cole explains, "conservatives indicate we are inclusive.... He reaffirms to Republicans that they can be conservative and not racist." It's the Clarence Thomas paradigm: As a Democrat, the Justice wouldn't be on the Court today, but in a GOP desperate for diversity, lack of experience or a mediocre track record is no hindrance to success. And so after Watts went Republican, "his political career took off like a rocket," Cox says.

Just one year after his switch, Watts became the first black ever elected to statewide office in Oklahoma, winning one of three seats on the powerful state corporation commission, which regulates the telephone, gas, and oil industries, among others. He owed his victory to his name recognition, his speaking ability, the incumbent's vulnerable record, and his well-financed campaign—a campaign financed largely by the businessmen who had first set him up in real estate and, more significantly, by the very industries he would oversee on the commission. Campaign contribution reports showed he had accepted nearly $100,000 from individuals whose businesses were regulated by the commission.

Oklahoma elects rather than appoints its utility regulators, but doesn't bar them from accepting funds from the industries they regulate. The potential for unhealthy relationships—unhealthy for the state's con-


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sumers—is obvious, and often realized. But Watts's service on the commission was particularly industry-friendly, according to commission observers. The most egregious example came when Watts and another commissioner cut a secret deal with Southwestern Bell on a rate reduction case, which would have saved the company—at consumers' expense—$374.8 million. The deal never went through because the state Supreme Court, rather than the commission, decided on the settlement. But the deal "was quite typical of his service," says Wanda Jo Peltier, a state legislator and commission watchdog.

An unimpressive track record did not deter Watts's Republican admirers, who encouraged him to run for the Fourth District congressional seat. Among his most generous supporters, not surprisingly, were individuals and companies from the industries overseen by the corporation commission. And the Watts qualities that had so excited Tom Cole—his race and his star quality—brought Kemp, Gingrich, Dole, George Bush, William Bennett, and Moses himself, Charlton Heston, to Oklahoma to campaign for him.

Watts's campaign became a peculiar inversion of traditional racial politics. His Democratic opponent ran ads with a 15-year-old high school photograph of Watts with voluminous Afro and beads; the seeming intent was to show a black candidate in a white district looking more Black Panther than *GQ*. But Watts won anyway, with some surprising support: "The most fanatically supportive element of J.C.'s coalition are moral white conservatives," says Tom Cole. His talk of character and family values and his stances against abortion, gun control, and gay rights, and for school prayer and the death penalty, earned him high marks on the Christian Coalition's voter guides. With the Coalition's support, Watts won by a nine point margin.

## Party Man

J.C. Watts is the political equivalent of a Russian doll: a minority within a minority within a minority—not just black, not just a black Republican, but a black anti-government, pro-free enterprise, self-described member of the "radical Christian right." Among African Americans, that places him in a very small camp indeed.

Like most Americans, blacks have middle class values: They want safe streets and good schools. Many tend to be quite conservative on social issues. And in large numbers they have opposed increasing welfare benefits. But they do not see free enterprise as the solution to all their problems—they love Kemp's empathy, but not necessarily his ideas. And they are not anti-government: Polls show blacks are significantly more favorably disposed toward government than Americans at large. This makes sense: Government employment lifted many blacks into the middle class, and many government programs besides welfare—Head Start, Chapter One education funding, higher education grants and loans—have been crucial in what leveling of the playing field has taken place so far.

Which is why, in larger numbers than whites, blacks have opposed the Contract with America and the rest of Gingrich's agenda. But Watts voted for 95 percent of the Contract, and he has supported the rest of the Republican party line as well—including a tax cut for the wealthy, and cuts in programs such as the Earned Income Tax Credit, Head Start, Medicaid, school lunches, and student loans and grants. Of the last, Representative Chaka Fattah, a black freshman Democrat from Philadelphia, says, "[Watts] went to college on a football scholarship; I went on a Pell grant. These grants are important: They allow people to get education regardless of their family's income or race."

Indeed, Watts's willingness to toe the party line no matter how harsh has upset more than his fellow black congressmen. "He's just doing what the Republicans want him to do," says his uncle, who when riled up equates Gingrich's efforts to prey on the weak to Hitler's. When Watts switched parties, says Gene Stipe, "his family's first reaction was 'shucks, it's all right to be a Republican.' But I don't think they expected him to be a rubber stamp for Newt."

Yet even those who believe opportunism brought Watts to the GOP do not claim that anything but conviction brings him to his votes. He has adopted the party's philosophy heart and soul. Indeed, he's become one of the most articulate espousers of its philosophy. He's a compelling, almost mesmerizing speaker, so much so that I walked out of an interview with Watts convinced (almost) that the Contract with America was the greatest thing since the invention of the Internet.

"He believes in what he's doing," Wade Watts says. "They have brainwashed him real good." The senior Watts believes the reason lies in historical memory—or lack of it—on his nephew's part. All the hardest battles—for civil rights or the social safety net—were fought before the 38-year-old congressman was born. "J.C. ain't never seen a hard day in his life," Wade Watts says, and in that good fortune lie the roots of his Republicanism.

J.C. Watts, naturally, disagrees: He sees not the Democratic successes that made his rise possible, but the Democratic failures of the last 30 years—welfare, public housing, softness on crime—that he believes



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have prevented others from rising. Both are, to a degree, right—which is why in many ways black Americans are a people without a party.

Of course, Watts is not just an ideologue. He is also a politician. His views reflect his district, which is 93 percent white, suburban and rural, and fairly conservative. "If he felt as I do on many issues, he would not have been elected to Congress from Oklahoma," says Rep. Fattah, who represents a majority-black urban district. And to his credit, Watts tried to make clear whose interests he had come to serve when he arrived in Washington. He announced that he would not join the Congressional Black Caucus, telling reporters, "My father raised me to be a man, not a black man" (and pointing out that his inevitable disagreements with the caucus on most issues would soon become an issue in itself). Watts drew a lot of flak from black Democrats, but Fattah, for one, praises his decision: "He tried to send the message ... that he was representing the people who voted for him, and not African Americans."

But since then "things have gotten fuzzier," as Fattah puts it. For while Watts may have come to Washington determined not to be a black politician, the GOP seems to have had no intention of letting him be anything else. "He never asked for the title great black hope," says Phyllis Berry Myers of the Council for New Black Leadership, a black conservative organization. But that's the title he was given. For a freshman, Watts quickly became the subject of unusual attention from the leadership. Gingrich immediately tapped Watts to co-chair a Minority Issues & Outreach Task Force, and his face was prominently featured at Republican events. Watts's presence at Gingrich's shoulder seemed intended to legitimize the Republican agenda as serving more than wealthy white interests. "They're showboating him," Wade Watts says succinctly.

J.C. Watts didn't long resist such showcasing. He became a vocal defender of the Contract's virtues for black Americans, and he set himself up as a spokesperson on the problems of the underclass—particularly rising illegitimacy, government dependency, and the resulting "cultural decay." For the Christian right and the GOP, Watts became a symbol—a racially tinged one—of "family values" and "cultural renewal": the devoted father who returns home to his district each weekend to be with his wife and five children.

But in fact, Watts has six children. At age 17, he fathered a child out-of-wedlock; five days after birth, she was adopted by his uncle Wade. She is a success story—a high school valedictorian and college student—and Watts says she demonstrates his consistency: He is pro-life; she was not aborted. He opposes the notion of government raising illegitimate children; his daughter "never received one dime of government assistance," because his family assumed responsibility.

But she also demonstrates that Watts is less perfect than he or the GOP would have us believe, and more fortunate than his stories of a hard luck childhood suggest: Because his family shouldered his burden, his ascent to football stardom continued unimpeded. In the broad strokes of politics, however, such subtleties get painted over. And so, at the convention and elsewhere, Watts is presented as the "good black" lecturing his weaker brethren on character—a "role model," in Haley Barbour's words.

The problem in the GOP, however, is the hairline between role model and token. Watts's and other African Americans' convention prominence aside, only 54 of the party's 1,990 delegates—a mere 3 percent—were black. Barbour replies that the party doesn't believe in quotas—for itself or government. The solution for the inequities affirmative action was designed to redress, he says, is simply a "growing economy in which people are allowed to keep more of what they earn." That facile notion, coupled with his voluble attacks on reverse discrimination, helps explain why blacks still feel unwelcome in the GOP.

Dole and other party leaders at least advocate what they call "true" affirmative action: aggressive recruiting and opportunity, without quotas and preferences. They have yet to explain how such a recruiting system would work. But more than that, is there any evidence that the Republicans will expend the effort and money needed to ensure opportunity exists? Take a closer look at Watts's cure-all "community renewal" bill for inner cities, and you see why his own family doubts his concern for the disadvantaged. It's a boon to various GOP constituencies, notably the Christian Coalition, which played an active role in its construction. It funds school vouchers and faith-based substance abuse programs, but has no money to fix public schools or create remedial education programs to make fair competition a reality. Nor does it have a chance of passing: Its own sponsors estimate its cost at $10 to $20 billion, far more than Republicans are likely to commit to urban areas.

As long as the party continues to be dominated by leaders like Gingrich and Barbour, in short, a Bible's worth of talk about empowerment won't make a dime's worth of difference. And as long as Watts willingly lends their policies credence, the GOP still will be awaiting a black leader who understands that in the long run, individuals will have to compete on their own merits—but that the opportunities to make that possible aren't going to materialize out of thin air. ●



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*How phony realism in film and literature is corrupting and confusing the American mind*

# IT'S UNREAL

BY GREGG EASTERBROOK

IN THIS SUMMER'S HIT MOVIE, *INDEPENDENCE Day*, the president oversees attacks against the aliens by watching fancy color monitors with live-action images of airplanes and spaceships. A Marine pilot brings down a trailing alien fighter by deliberately opening and releasing his F18's tail parachute in flight so that it flops on the alien's windshield and blinds the occupant. Amraam air-to-air missiles, fired at the alien starships, create tremendous explosions. Area 51, the ultra-secret desert location where the wreck of the Roswell UFO has been reconstructed, is shown in detail. A squadron of B2 bombers launches nuclear-tipped cruise missiles at an alien dreadnought.

OK, let's assume away the aliens and their 300-mile-wide mother ship as the premise of the flick. And let's accept the notion that you can destroy an entire space fleet with a bottle of Scotch and a laptop computer. After all, it's a movie. Otherwise, which of the above aspects of *Independence Day* are realistic?

The military does not have live-action view screens that show perfect representations of things thousands of miles away: Even the fanciest radars display information as cryptic data squiggles. Amraam missiles do not make tremendous explosions: They have small warheads designed to cripple the relatively thin skin of aircraft. Deploying the tail chute (used during carrier landings) of an F18 during flight would cause directional instability and an immediate crash. There is no Area 51. (Of course, agents of the cover-up instructed me to write that.) The B2 does not carry nuclear-armed cruise missiles.

What about that heroic laptop? Suspend disbelief and assume a powerbook could somehow communicate with an alien computer system. But the idea of delivering a computer virus so potent it instantly disables an entire interstellar space fleet is, well, about as realistic as a light sabre. And just as *Stars Wars* boosted the prospects of SDI through its special-effects quality, suggesting to audiences that powerful lasers actually exist, *Independence Day* may aid the revived Ballistic Defense Initiative by suggesting that war in space is already technically feasible.

In the context of efforts such as *Independence Day*, the line between "realism" and "real" increasingly blurs. Ever-better special effects now leave audiences for film and television steadily less able to discriminate between a Hollywood premise and something real. Increasingly, the passing off of the invented as reality plagues not just the movies but journalism, nonfiction books, pop novels and even literary writing. By this I don't mean movies such as *Zelig*, in which the historical and imagined are swirled, but everybody knows this is happening. I mean books and films in which phony touches masquerade as true touches, usually under the banner of "realism."

Nearly everybody involved in creative pursuits agrees that realism is a virtue. But real realism—correspondence to actuality—is mostly Dullsville. So a new category, one which might be called synthesized realism, is emerging and gathering sway. Writers and directors pretend they are producing something "realistic," when the product is in truth as removed

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from reality as *Batman*. But at least in *Batman*, you're aware of the fantastic nature of what you are shown. In synthesized realism, the goal is to confuse you about the distinction.

For instance, the Tom Clancy genre is chock-full of real-sounding descriptions of fantastic technical devices that do not exist and with depictions of extremely complicated military operations carried out with split-second timing. Harmless diversion? Perhaps, but filling people's heads with the idea that "real" military strikes can proceed with intense technical precision across many continents may tempt pundits to demand, and political leaders to attempt, the sorts of operations that are likely to lead to ruin, as happened at Desert One.

Equally corrosive to the public mind, books and movies now regularly present as "realism" the notion that vast, unstoppable conspiracies are behind public events. Not only the Freemen believe that a secret cabal is running the world; so, it seems, do all movie and television producers, with grimly "real" government conspirators behind the plot of most contemporary action films and books. Shows such as "The X-Files" are not the offender here, because they are exaggerated enough to merit the *Batman* exemption: You know what you're seeing is far-fetched. (Of course, agents of the cover-up instructed me to write that.) Now "realistic" government conspiracies turn up as the centerpiece of films like *JFK* or *Outbreak*. Often, the conspiracies entail the mysterious appearance of omnipotent operatives working for agencies far more secret than the CIA, agencies so powerful even the president fears them. Conspiracies, Ken Ringle has written, are handy for writers and directors because "they move the plot and tie up loose ends...but life itself is rarely that tidy." Movies and books with neat conspiracy theories at their cores may feel "realistic" in the wake of Watergate. Actually they are phony, given the paucity of true conspiracies in the actual world—phony in a way that promotes cynicism about citizenship.

**Not only the Freemen believe a secret cabal is running the world; so it seems, do all movie and television producers.**

Because we undeniably live in a world where violence is excessive, killings have become a token of Hollywood and pop-novel "realism." But the degree depicted often exceeds that found in reality. Pop novels by John Grisham, Michael Crichton and Robin Cook—to name only respectable thriller authors—have in recent years depicted multiple gruesome murders in the Supreme Court, in corporate boardrooms, at top teaching hospitals. In fact such books, in the name of "realism," depict multiple murders in high places as everyday events. Actual murders happen in alleyways, tenements, homes. Thriller authors move the murders to glamorous venues for obvious reasons, but then add detached, gruesome details to create the facade of "realism" that's now selling.

Surely the worst synthesized realism touch common to contemporary mass culture is the obsession with serial murders and thrill killing. Dozens of contemporary movies and pop novels—Thomas Harris's Hannibal Lecter books, *Seven*, *Natural Born Killers*, *Copycat*, and many similar works turn on the "realistic" notion that everywhere you look, depraved psychopaths are torturing people to death for kicks. This sort of brutality occurs far more often in books and movies than in real life. According to Peter Smerick, a crime consultant who is a retired agent for the FBI's behavioral sciences division—the very organization Harris romanticizes in the Lecter books—in the last 15 years there have been an estimated two "spree" or thrill killings per month nationwide in the United States. That is a horrible figure in every way, but it represents a mere 0.14 percent of American murders. Serial killings are exceptionally rare. Almost all murders occur in the context of robbery, or between acquaintances or family members. Today, on an annual basis, probably a greater number of serial killings are depicted on screen and on television than occur in real life. Yet gruesome thrill killings are presented as if "realistic," using the excuse of realism to advance a gratuitous profit pursuit while at the same time desensitizing readers' and viewers' perceptions of human life.

Depictions of Hollywood-style splatter-death have even begun to infect literature, under the guise of "realism." For instance, the new novel *Accordion Crimes*, by the serious writer E. Annie Proulx, offers a gory death on about every third page. The killings embody what Hollywood scriptwriters call "creative death"—something weird or graphic happens to each


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victim, like a stake driven through the eye. Hollywood sell-outs sit around in the afternoon attempting to think of creative ways to depict killing because this satisfies the financial incentives of exploitation. To find the same mindset at work in literature is alarming. Proulx might justify it under the banner of "realism," but the real realistic mode of death for almost everybody who has ever died, except during warfare, is to slowly decline from a degenerative disease, or to topple over from a heart attack.

Random sadistic splatter is now a staple of serious books by such authors as Cormac McCarthy and Larry McMurtry, who combined have probably depicted more "creative" killings in the West than occurred in the entire 19th century. (As opposed to the surely plentiful, genuine Dullsville murders.) Thrill killings became a commonplace of minimalist writing when the late Raymond Carver ended his short story "Tell the Women We're Going" with two men suddenly slaughtering two women, solely for amusement. Since then many short stories in *The New Yorker* or *The Atlantic Monthly* have featured splatter. Because authors such as Carver made thrill-kill scenes respectable, it should come as no surprise that punk pretenders like Bret Easton Ellis fall back on them constantly.

Syntho-realism has crept into nonfiction as well. In a way, the progenitors of this effect were the New Journalists of the 1960s, who, while wonderful writers, at times carried narrative to the extreme of making events seem much more interesting than they actually were. New Journalism spawned the "nonfiction novel," which literary history is likely to see as a heinous development, blurring the lines of realism and the invented not so much in the pursuit of an otherwise unobtainable truth (as Truman Capote initially claimed about *In Cold Blood*) but in pursuit of an improved story that would call attention to the writer (as Capote later admitted was his real goal).

By the late 1960s, Norman Mailer would subtitle his *The Armies of the Night*, a book about the 1967 march on the Pentagon, "History as Novel, the Novel as History." A perfect slope of pretentiousness in this phrase helped make Mailer's book a big deal then, but the notion it embodied—that world events should be reconstrued into a "novel" with smoothed-out characters and flowing plotlines—has not worn well.

By the 1970s Tom Wolfe so stylized and smoothed out *The Right Stuff* that the lives of the original seven astronauts were made to seem nothing but kick-ass manly extravagance. That made the book a great read, but was it "realistic"? Yes, in the sense that Wolfe did interviews and conducted research. No, in the sense of sketching the astronauts' lives.

The elegant narrative writing of the New Journalists had the unwelcome effect of granting respectability to composite characters, reconstructed dialogue, and other devices which repeal realism in the name of the syntho-real. Today this setback is best seen in the syntho-dialogue of Bob Woodward books. Within this realm are extended scenes of imaginary dialogue and streamlined story lines during which the reader has absolutely no clue as to what is known and what is conjecture. As good a reporter as Woodward is, it's sad to note that his recent books drop the concept of "true" altogether, placing into quotation marks lengthy sections of dialogue that Woodward has simply invented. The dialogue may be similar to words actually spoken but is not by any standard "true." Absurdly, writers employing this gimmick often cloak themselves in "realism." Transmogrified conversations or composite characters are glossed with minute but ultimately irrelevant details—the exact hour of a meeting, the color of a piece of clothing—to generate a patina of "realism," while the gist of episodes merrily turns on quotations whose actuality is at best speculative.

In recent years, this disease has spread beyond pop-serious writing like Woodward's into true seriousness. One of the best books published last year was *A Civil Action* by Jonathan Harr, an intelligent account of a tortuously complex lawsuit. But even this book, the product of a conscientious author, was based on recreated dialogue: There are extended sections where the reader is given no hint about whether what he or she is reading is genuine or made up. Finding this phony, Hollywood-serving touch (*A Civil Action* sold to the movies, something it probably would not have done had the author stuck to true realism) in a serious book was a deep letdown.

Capote, Mailer, and Woodward's ultimate legacy to nonfiction may be that, in the name of "realism," they rendered respectable the concept of "sorta true." Legions of novelists and screenwriters are now laboring to enshrine syntho-reality as better than real reality. With the special effects of movies and the novelistic detail of writing improving all the time, it grows ever harder for readers and viewers to determine whether they are beholding verity or imagination. Will all this end in a public so confused about the "real" context of books and films as to begin mistaking things like "The X-Files" for reality—or in a public so cynical that not even the most earnest author in pursuit of truth will be taken seriously? ●



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# The Decline of Citizenship

*It's not just immigration that's dividing us*

**By James Fallows**

**AMERICANS NO MORE: The Death of Citizenship**
*By Georgie Anne Geyer*
Atlantic Monthly Press, $23

GEORGIE ANNE GEYER HAS for years practiced the best kind of foreign reportage, which involves spending enough time in some other society to sense what rings true and false in official pronouncements about the place. Instead of trying to persuade her editors, as so many of her colleagues did, that the most important foreign policy stories could be found in the restaurants and hotels of Geneva, London, Paris, and Rome, she endured the frequent hardship and occasional terror of going to the Kazakhstans and the Angolas. Though it has very serious flaws, her new book displays some of the familiar virtues of her reporting, this time about the United States.

The main point of the book is to ask what has become of the sense of "citizenship"—the connection between people and nation that is more than the mere convenience of carrying a passport or being eligible for public benefits. Citizenship, Geyer says, involves not just pride in or comfort with a certain culture but also a sense of shared obligation for its long-term survival and health. The obligation is what she says is withering away, in a "silent but real death of American citizenship."

There are three main villains in the story Geyer tells. The first and most heavily emphasized is immigration, which in its legal form is dramatically changing the ethnic makeup of the country (more than 80 percent of legal immigrants now come from Asia, Latin America, and Africa) and in its illegal form creates a shadow-world of people living outside the law. The second is the American response to immigration, which Geyer sees as far too diffident. Rather than encouraging or requiring new arrivals to learn the language, adopt the culture, and in other ways become fully engaged citizens, the U.S. has, in Geyer's view, fostered the idea that America is no more than one big job market and shopping mall, in which people from different cultures can improve their economic circumstances while otherwise living just as they would have back home. The third villain is a Balkanized, what's-in-it-for-me mentality among Americans in general. This was the spirit expressed most clearly through Proposition 13 in California. (Prop 13 was the ballot initiative in 1978 that put a cap on property tax payments for existing homeowners and touched off a series of similar moves in other states.) The real push behind Prop 13 came from homeowners whose own children were grown and gone and who were peeved by the idea that they should still pay for schools used by someone else's kids. Self-interest is a fundamental part of politics and of life, but Geyer contends that the balance has been skewed so that larger, citizen-style interests carry much less weight than earlier in this century.

On each of these issues, Geyer is obviously talking about something real. While economists have generally viewed immigration as an overall benefit to America, it is not an absolute benefit, nor a blessing for everyone involved. Recent evidence, some of which Geyer covers, suggests that the constant flow of low-wage immigrant labor is aggravating the polarization

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of America's work force into very-well and very-poorly paid sectors. The absorption of people from varied cultures has gone surprisingly well, by the rest of the world's standards—but the last time the United States took in this many people this rapidly, at the turn of the century, the dislocation became so great that it led to the draconian controls on immigration passed in the 1920s.

The most surprising reporting in Geyer's book concerns the actual process of acquiring citizenship these days, which she says is so lax, "sensitive," and user-friendly that it's more like joining a health club than pledging fealty to a new nation. (In the old days, she points out, mandatory "citizenship" courses were full of indoctrination about the ideals of the Republic. After applicants had passed a fairly demanding civics test, the process culminated in a swearing-in ceremony whose pomp was meant to underscore the gravity of the step the new citizens had taken. Now, according to her reports, the courses and tests are meaningless and the swearing-in itself often treated as a mere formality.) While people may feel at ease with and sympathetic to many cultures around the world, citizenship in its deepest sense should be exclusive, Geyer says. Yet the U.S. (unlike most other nations) has become so tolerant of "dual citizenship" that in the 1990s Milan Panic could serve as prime minister of Serbia, and Aleksandr Einseln as a general in the Estonian army, while still holding U.S. citizenship.

**Acquiring citizenship these days is so lax, "sensitive," and user-friendly that it's more like joining a health club than pledging fealty to a new nation.**

Unfortunately, Geyer's discussion of these issues is not up to the importance of the problems she identifies. The book has several stylistic quirks that at first are annoying but become almost hilarious by the end of its 300-plus pages. The most obvious is Geyer's insistence on introducing every expert on her side of the case with a flattering adjective. As soon as you read that a person is "brilliant" or has some other favorable trait, you know that he or she will be quoted on the side of the argument Geyer is advancing. ("As the prestigious *Kettering Review* puts it," "as the brilliant black economist Thomas Sowell wrote," "the respected Vernon M. Briggs Jr.," "Norman Ornstein, the brilliant senior fellow at the American Enterprise Institute," "Richard Estrada, the superb columnist for the *Dallas Morning News*," "Lawrence Auster, one of the most sensitive commentators on immigration," "the wise Otis Graham," "FAIR's extraordinary Dan Stein," "I went to see [Korea's] handsome and gentlemanly prime minister," and on and on.) Also, in a way that I'm sure was innocently intended, she comes off frequently as if she is tooting her own horn. After she offers a political assessment to a professor in Belgrade, she quotes his reaction: "'Your conclusion is absolutely right,' he averred." "As early as 1985, I had written a groundbreaking lead piece for the *Encyclopedia Britannica Yearbook*, in which...." "In the winter of 1996, as I was finishing this book, I found myself writing...[and then quotes one of her newspaper columns]." She does this so matter-of-factly that it can't even be called boasting, but the effect is still strange.

The deeper problem is an exaggeration of the trends she discusses, which often gives the book a sky-is-falling tone. Geyer tries to build in a defense against this criticism by arguing that Americans are too complacent about their society's ability to withstand all stresses. The most frightening part of the book may be its first chapter, which describes the way in which other complacent societies, notably in Europe, ignored ethnic tensions until the tensions became far more destructive than they had to be. But alongside its detailed reporting about the behavior of immigrants or the problems with the INS the book presents warnings that are clearly preposterous. For instance: "Henry Kissinger, for one, has predicted to me that America will be 'irrelevant' by the turn of the century if our present national proclivities continue." "The turn of the century" may have sounded portentous when he said it, but now it is barely three years away.

The discussion of immigration contains eye-opening findings based on Geyer's reporting—for instance, that the Border Patrol has been successful in containing illegal immigration when it has actually tried, as in an experiment in El Paso; or that the National Council of La Raza, an important advocacy



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group for Mexican-American interests, has almost no membership base and is funded nearly exclusively by foundation and government grants. But these are mixed in with an ahistorical assumption that immigration went much more smoothly in other days. In fact, to read the muckraking literature of the early 1900s is to realize that Americans of that day were far more worried about the indigestibility of Italians, Slavs, and Russian Jews than any of Geyer's "respected" authorities is worried about Hispanics today.

Geyer chooses exactly the right topic in using California's troubles as a model for the nation's. A generation ago, California displayed "citizenship" in the form she endorses, with excellent public schools, parks, and roads. Now the indicators of public wealth—these same schools, parks, and roads—are headed down, and private wealth piles up behind security fences. This is an important parable for America, but it involves more than the pressure of immigrant masses, to which Geyer ascribes most of the blame. ("Meanwhile, Southern California is breaking down under the inundation of so many unabsorbable people and needs.") Another recent book, *Blue Sky Dream*, by David Beers, goes farther toward explaining the California story. It emphasizes the way that huge military budgets created a sense of limitless abundance in the late 1950s and early 1960s, the era of Pat Brown. In the time of Ronald Reagan and Jerry Brown this gave way to a more crabbed mood of each interest group resenting any claim on its tax dollars by any other group. Kevin Starr's multi-volume series *America and the California Dream* also shows that immigration was only one of several factors narrowing the sense of "citizenship" in the state. Still, Geyer's heart is in the right place, and with a reporter's good instinct she directs attention toward the right subjects. ●

# Machiavelli With a Pious Face

*Ralph Reed is great with political tactics. It's right and wrong he seems to have trouble divining*

**By Jonathan Rowe**

**ACTIVE FAITH: How Christians Are Changing the Soul of American Politics**
*By Ralph Reed*
Free Press, $25

PAT BUCHANAN POSED A MAJOR problem for the Christian Coalition leadership in his primary campaign last winter. Here was a certified right-winger, revered by much of the Coalition's political base, who wasn't staying on the safe reservation of "family" issues. Instead, Buchanan was carrying the crusade for traditional Christian values right into the corporate boardrooms.

Beneath the bumptious attacks on layoffs and trade deals were the echoes of a basic moral principle: The strong must choose between love of neighbor and love of lucre, just as the young must choose between abstinence and fleshly indulgence. This was dangerous.

The Republican coalition is built upon a gaping fault line—a central hypocrisy, some would say—between traditional moral values and libertarian market amorality. Reed has tried mightily to keep God and Mammon in separate closets. But now Buchanan was blowing the cover, and Reed's response is revealing.

In his new book, *Active Faith*, Reed does to Buchanan pretty much what *The Washington Post* does to him—and to Reed himself, for that matter: He marginalizes through epithet. Buchanan is an "economic nationalist," he says, which as Reed knows is *Washington Post* code for "belligerent ignoramus." Then, shifting into a squishy moral relativist mode, he says that a Christian can go either way: supply side or

JONATHAN ROWE *is on the staff of Redefining Progress and is a contributing editor of* The Washington Monthly.



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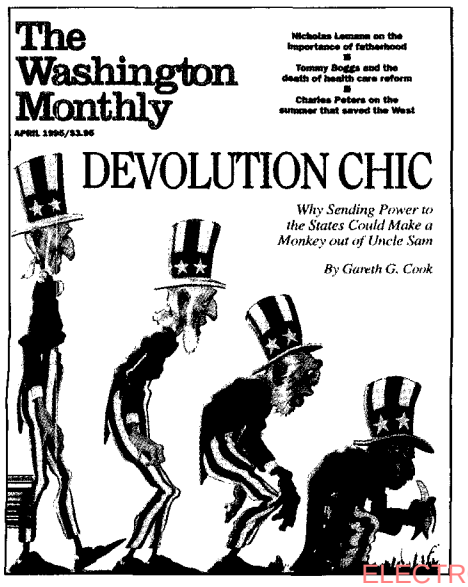


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Buchananite "nationalist," it's just a matter of—yes, choice.

The important thing, Reed says, is to keep the Republican coalition together. No matters of principle are involved. The party can attract those blue-collar Reagan Democrats "with the magnet of social issues such as abortion and gay rights," he says, "whereas to draw them with anti-Wall Street and anti-big business rhetoric threatens to alienate the economic conservatives who comprise the other half of the party's base."

In other words, finesse the underlying issues and try to keep everybody happy. With one blasé stroke, Reed has brushed aside the Master's warnings against acquisitiveness and greed—qualities upon which supply-side thinking is based. It's the kind of footwork which, if done by a certain Democratic president, the right would call a "Slick Willie." It's also *Active Faith* in a nutshell: Machiavelli with a pious face.

The book is Reed's attempt at a coming-of-age story, for the Christian Coalition and for himself. In particular, he is trying to soften the Coalition's harsh and rancorous image in a presidential election year. He declares the movement, and himself, ready to put off the childish things of inflammatory polemic and rancor. He is conciliatory and reasonable; although this manner is obviously for effect, I thought he meant it, up to a point.

Reed grew up in Miami and northern Georgia, son of an ophthalmologist and a homemaker. He was drawn to politics early; in high school, he ran for student council president on a platform of Coke machines in the locker rooms and greater student power. He was an active Young Republican in college, and after graduation he came to Washington to work as executive director of the National College Young Republicans. He skirts past his work there under Lee Atwater, his mentor, except to say that it was "political hardball." I wish he weren't such a chronic image-polisher. A few good Atwater stories would have given some life to a manuscript that often reads as though focus-grouped by Frank Luntz.

Jay Lincoln

At any rate, Pat Robertson spotted Reed after his campaign for president in 1988 and made him head of the new Christian Coalition. Reed proceeded to build the organization from the ground up, out of the ashes of the Moral Majority. After the 1992 elections, his operatives fanned out across the country, encouraging simpaticos to run for local office, and developing a political base—just as he says young Democrats did after the McGovern campaign.

The left may be the demon that animates Reed's Manichean political universe. But he's also fascinated by it, the way a fundamentalist is by sin. (He complains about the stereotyping of the so-called Christian right, but his view of the left is no less cartoonish.) The environmental and civil rights movements are the tactical models he seeks to emulate. He set out early on, he says, to create a "mirror image of the New Left," and the Christian Coalition was the eventual result. Like any good political strategist, Reed lays claim to the moral high ground. FDR and Martin Luther King were really prophets of the Coalition's agenda, he says. If alive today they'd be working on issues like school vouchers and a ban on abortion for women.

This is a stretch. But Reed is right that liberals have drifted from the mainstream values from which their two icons spoke. Like Atwater, Reed is a cagey strategist with a natural instinct for polemical jujitsu. He understands that politics is not about talking at people, the way liberals tend to do, but rather about tapping into their inner conversations—talking to them the way they talk to themselves.

This is the gift of both demagogue and saint; one speaks to our darkness, the other our light. In *Active Faith*, Reed works hard to sound like the latter. When he started going to church again, in 1983, he says, he felt compelled to reassess his hardball tactics. There is sincerity in his voice when he describes how he began to apologize to people he had maligned along the way—"to break bread with them or pray for them." Even if


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most of these former "enemies" were in the Republican camp (he doesn't say), and even if the self-congratulation is a bit unseemly, this is the one moment in *Active Faith* that comes close to justifying the title.

Reed is relatively gracious to Clinton. Although he repeats some of the charges that he himself, of course, isn't going to make, he does add that "[w]hatever one thinks of Clinton's politics, there is no denying his interest in spiritual matters." In fact, Reed and Clinton are a lot alike: natural politicians who can charm their way through expediencies and transgressions. I wonder if Reed realizes that, in talking about the President, he is talking about a version of himself—and maybe of what he aspires to attain.

**Reed can brown-nose with the best. Elizabeth Dole holds forth at the Florida straw polls "looking poised and attractive as always."**

### The Money Changer

But this is a campaign document—an apology, not a confession. Despite the tone of candor, Reed reveals little that doesn't serve his political ends, and in this calculated quality he reveals much. I'd trust him more, for example, if he at least admitted the temptations of power, instead of denying any such thoughts with mock choirboy hurt. "Our critics do not believe me when I say we desire a place at the table," he says. "The truth is, we eschew political power." Well, you could have fooled me. He can brown-nose with the best. Elizabeth Dole holds forth at the Florida straw polls "looking poised and attractive as always." It's one of the few physical details in the book. Give him this: He knows his mark.

Reed says that politics are not enough, that "no man-made law can substitute for the higher law that transforms the human heart." Like Clinton, a part of him truly seems to believe such sentiments. But it's not the dominant part. His chapter on how the Christian Coalition has learned from its mistakes deals almost entirely with tactics and public relations. It discovered, for example, that the paranoid hysterics that work in direct mail don't play so well on the larger national stage. Such a strategy may "drive your supporters to their checkbooks," Reed observes, "but it ultimately limits one's effectiveness in the broader society."

Yes, but is it wrong? Reed was embarrassed when hecklers at a right-wing convention called Nina Totenberg, the NPR reporter, a "whore" while she was interviewing him. It was "incredibly juvenile and politically suicidal," he says, adding that you "never pick a fight with someone who buys ink by the barrel." Again, he doesn't punctuate the anecdote with a point about right and wrong.

There are other omissions. Reed does not discuss his political deal with the gun lobby. His only comment on the environment is a jab at President Bush for signing the Clean Air Act, a "liberal" machination. Why is the purity of the air, which sustains life, not of concern to those who profess to believe in the right to life? Reed doesn't say.

The reason, of course, is money: Polluters contribute a lot of it to Republican campaigns. For right-wingers, this is where the footsteps bleed, or ought to. It's easy for them to attack teachers' unions and welfare recipients, just as it's easy (or used to be) for liberals to attack corporations and Wall Street. Republicans rail against lust; Democrats, greed. The other guy's sins are always a convenient target. The test of principle is when you have to cause displeasure to your own, and that's the one that Reed has trouble passing.

Instead, he hauls out that tired partisan warhorse, Dan Quayle's Murphy Brown speech, with its righteous chest-thumping about the media. But Quayle was hardly the first to figure out that television is doing terrible things to our kids. And, whereas Murphy Brown may fall short as a role model, the way corporations assault little children with the most sophisticated propaganda techniques to turn them into product-crazed consumers is utterly despicable.

But for Reed, advertising doesn't exist—even though it's why commercial TV exists. The heroic Quayle couldn't muster the gumption to mention corporate sponsors such as Chevrolet or IBM, for whom "Murphy Brown" delivers a target audience. The business interests that people like Quayle and Reed support so loyally are behind much of the cultural erosion they deplore. But they refuse to make the connection, blaming liberals instead.

Such skewed logic may be good politics. But



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Christianity? We expect evasions from people who hold themselves out as politicians and nothing more. But Reed tries to have it both ways, and his unwillingness to confront the money changers in the temple—those who would debase spiritual values with material ones—is hard to take. In *Active Faith*, Reed shows some good qualities that his critics often miss. But his continual cloaking of political expediency in the garments of holy purpose gives off—I must say this—a slightly putrid smell. ●

# The Other "Tricky Dick"

*Richard Darman finally admits that it's impossible to cut taxes, increase spending, and balance the budget at the same time*

**by Matthew Miller**

**WHO'S IN CONTROL?: Polar Politics and the Sensible Center**
*By Richard Darman*
Simon & Schuster, $25

WHY NOW? THAT'S THE QUESTION I kept asking after the first few chapters of Richard Darman's new book, *Who's in Control?*. Fifteen years after our Great Fiscal Mistake, and six years after Darman re-read George Bush's lips in the controversial 1990 budget deal, isn't it a little late for the GOP's other "tricky Dick" to offer his side of the story?

Once you're done reading, however, there's a better question: why the first 200 pages? This first chunk of Darman's memoir-cum-manifesto is a plodding rehash of the Reagan years. But *The Triumph of Politics*, David Stockman's gripping confession, revealed the truth for budget fetishists a decade ago. And tax nuts got the scoop on the big 1986 reform from Alan Murray and Jeff Birnbaum's instant history, *Showdown at Gucci Gulch*. Since these are the episodes Darman stresses from the 1980s, you're better off relying on reviewers for highlights. But the last 150 pages are must reading, the latest authoritative installment in the saga of How We Gummed Up the Budget and Killed Creative Public Policy for a Quarter of a Century. Darman brings the essential qualifications to tell this story: He was at the center of events; he gets the big picture; and, indispensably, he saved every memo and meeting note he ever wrote.

Darman is one of those rare officials who's been mocked by history and sentenced to clean up a mess he helped create. After all, the able but arrogant Darman was, as Stockman's sidekick, a key architect of the cut-taxes-but-don't-cut-spending strategy that quadrupled our debt over a decade. As Stockman testified, and Darman confirms, the Reaganites knew things were getting out of hand in mid-1981. With tax cuts getting bid up and spending cuts orphaned, the administration faced a choice between letting the President's plan die or coming back later to stem the tide of red ink they knew it would spawn if passed. "Fix it later," Darman and Stockman concluded famously as they stood on the White House drive, a phrase that Darman says haunted him for years as he sorted out his share of the blame for the devastation of American public finance.

But re-reading Faust (aside: who but Darman would feel compelled to say "re-read"?) was not penance enough. For "later" turned out to be eight years and $3 trillion in debt later, when Bush picked Darman to run the Office of Management and Budget (OMB) in the wake of his "read my lips" campaign. With health costs and the S & L bailout pushing deficits toward scary $300 billion heights, Darman's marching orders were to balance the budget without touching popular entitlements like Social Security and Medicare, cutting defense, or raising taxes. Of course, this was mathematically impossible, which left Darman struggling "to find a way to preserve a degree of intellectual integrity and credibility." Resorting to rosy scenarios to help square the circle, Darman failed the test.

Darman says the Bush team knew from day one they'd have to violate the no-tax pledge at some point; they hoped to postpone the inevitable for at least a year, and then blame the Democrats for extracting

MATTHEW MILLER *is a senior editor at* The New Republic *and a syndicated columnist.*



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taxes as the price for a big deficit-busting deal. Yet when negotiations finally began, Darman explains, George Mitchell and Tom Foley snookered the White House, getting Bush to sign off publicly on the need for new taxes with no concession—say, on cutting capital gains—in return. In retrospect, Darman sees this as an unforgivable blunder, and bemoans the way he and John Sununu let the President down. Done rightly, Darman argues, the tax hike need not have spelled defeat for Bush; after all, Reagan quietly raised taxes year after year following 1981, and all was forgiven.

Politics aside, Darman rightly defends the decision to raise taxes in 1990 as responsible. And his detailed account of the Bush team's internal thinking and the summit negotiations that year are invaluable. The budget deal it produced was at once pathetically inadequate (deficits still rose thereafter) and a major achievement (it introduced spending caps and other budget disciplines that work well, as far as they go, today). Understanding this paradox, which Darman's balanced account allows, becomes a fascinating lesson in the need for equal doses of empathy and outrage when judging those who govern.

Like all memoirists, Darman unintentionally reveals much that isn't pretty. He and Stockman "shared an excessive regard for our own and for each other's brainpower," making one shudder to think how many more trillions in debt we'd have gotten from sub-Mensa men. "In public and private," Darman writes in a typical passage later, "I did my best to suppress my reputed arrogance and combativeness."

In his book, at least, Darman's heroic efforts here fall short, and one senses the relief of a man who can finally uncork all those smarter-than-thou retorts bottled up over a decade of making nice with idiots. Listen as Darman recalls his reaction to the "You Ain't Seen Nothin' Yet" slogan featured in Reagan's empty re-election campaign: "I had to restrain myself," Darman says, "from observing that this vacuous cry had an ironic double meaning." Can't you just see Darman smirking to himself at the conference table? Other chapters, meanwhile, descend into such self-serving reports as Speeches I Gave on Urgent Issues and the Good Press They Got.

Various Darman stories amount to a Bureaucrat's Survival Guide, written by the pro. If in danger, for example—as Darman was after Reagan's disastrous first debate against Mondale, when Nancy was on the warpath—insist that the president fire you personally. (Presidents don't like to do that, so you'll live.) That's what Darman mentor (and Reagan chief of staff) James Baker did for his troubled protégé, which soon produced another classic Washington lesson for poor Dick:

> [Baker] was a friend, and was ultimately to become a much closer friend. But he had a tendency to be careful when it came to putting his interests at risk...."You mean you didn't say, 'If he goes, I go'?" I half-joked.
>
> Baker took this a bit more seriously than I intended. He reminded me that I had always said that if I ever became an undesirable burden for him, I would go—grateful for having had the opportunity to serve.....

For all the intrigue, however, Darman's old-school brand of moderate Republicanism is a much-needed tonic for Newt's GOP. Like Stockman and conservative analyst David Frum before him, Darman exposes the perennial GOP hypocrisy on spending cuts. In the policy sections that close the book, he decries the frivolous pseudo-solutions now peddled by both parties, and rightly argues that until we solve our long-term entitlement problems, we'll never free up the resources to address new public needs. The budget-cutter also reminds us that many solutions will take big money, especially if we're to revive our troubled cities.

Still, in the book as in life, the tension between high-minded policy and careerist maneuvering trails Darman to the end, making you wonder if he's hoping, against the odds, for one more chance to make things right. Consider: He's unduly harsh on Clinton in light of the budget progress during his term. And, after painting Newt as a betraying, grandiose opportunist (his sycophantic notes to Darman during meetings are a treat), Darman closes with sudden appreciation for "Gingrich's larger vision," "empathy," and "inclusiveness." Then there's Bob Dole, whom Darman never mentions without truly elaborate fawning.

Could we survive another Darman stint near the helm? The irony is that Dole's desperate tax cut would squeeze the graying budgeteer right back into the vise Bush created in 1988. But Darman-style progressive centrism is what the country needs. And for all his warts, it's a pity one of the GOP's most experienced public servants should be benched. So I'll say it: If Dole somehow pulls it out, we could do worse than have a savvy bureaucrat with a deep sense of guilt for 15 years of public gridlock helping us untie the Gordian knots. ●



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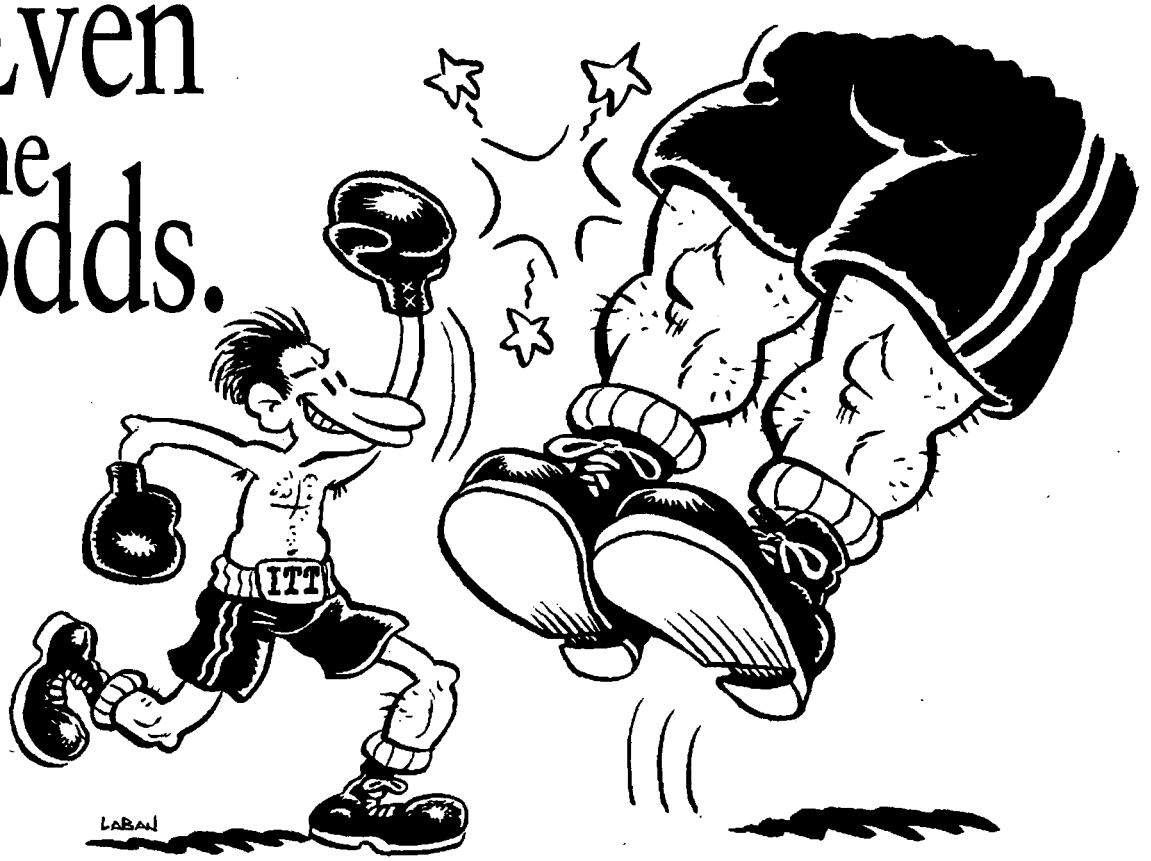


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# Political Booknotes

## The Drug War's Double Standard

**By David C. Morrison**

WHAT ISSUE ON THE POLITICAL agenda offers more contradictions and perplexities than drug policy? Eight decades of ever-stiffening prohibition of an ever-lengthening list of substances have inarguably succeeded in deterring some potential users simply by subjecting access to these substances to the ministrations of a violent and rapacious black market.

And yet, according to the Office of National Drug Control Policy's 1996 strategy report, 72 million Americans have experimented with illegal drugs. Casual use of illicit drugs has fallen off by perhaps half since 1985. But 12.2 million Americans continue to be steady users, and almost 3 million of us slog on as hard-core heroin and cocaine addicts. Meanwhile, our inner cities are free-fire illicit economic zones and our jails are jammed with prisoners of a "war on drugs."

Given that illicit drugs are not going to be eliminated any time soon, what is there to do? How much of the harm caused by certain drugs is due to their inherent effect on users, and how much to the consequence of striving to limit that use with blunt judicial instruments? More of the same—Constitution-clipping searches and seizures, mandatory minimum sentencing, asset forfeiture and so on—can merely assure us, well, more of the same. Legalization or decriminalization would surely ameliorate some—but by no means all—of the damage a black market drug culture currently wreaks on body, wallet, and lifestyle; it would also get the government out of the business of policing private behavior. But it would do so, just as surely, at the cost of increasing the number of those using potentially dangerous drugs.

A confounding quandary, this, and one that continues to generate a tsunami of tomes ostensibly explicating its causes and effects. *Hep-Cats, Narcs and Pipe Dreams*, a popular history of illicit drug use, trafficking, and regulation in 20th-century America, is just one of this summer's additions to the drug policy bookshelf. Penned by former journalist Jill Jonnes as her doctoral dissertation at Johns Hopkins, *Hep-Cats* succeeds as an engagingly crafted account of a colorful slice of U.S. history.

**HEP-CATS, NARCS AND PIPE DREAMS: A History of America's Romance with Illegal Drugs**
*by Jill Jonnes*
Scribner, $30

It fails, however, to truly illuminate this dark topic, thanks to the narrowness of Jonnes's analytical vision. Despite abundant evidence to the contrary, she cold-shoulders any suggestion that popular and legal attitudes toward opiates, cocaine, marijuana, and such have been shaped not just by psychopharmacological factors, but also cultural and racial ones. Jonnes attributes the chemical underground's ineradicable persistence to a pernicious "hipster ethos" spawned in the jazz clubs and black ghettoes of America and adopted by white "middle-class screwups." Never "underestimate the powerful link between hipness and drugs," she sternly admonishes.

Sound advice, that. But there, precisely, lies the rub: Certain drugs retain their hip aura largely *because* they are illegal. Jonnes's cramped framework prevents any fruitful exploration of this complicating nexus. Instead, she follows the herd of pro-prohibition analysts in lumping together all drugs labeled "illegal," regardless of their effects or their surrounding subculture. (For a refreshing departure from this practice, see *Against Excess*, Harvard University professor Mark A.R. Kleiman's 1992 drug policy opus.) Pot and LSD are thus deemed equivalent to heroin, speed, and cocaine.

Jonnes exonerates ethyl alcohol, that most ubiquitous of American intoxicants, as a social malefactor. Alcohol is not as "reinforcing" as other substances, she states, because it "can only be taken orally, a very inefficient way to reach the brain and induce a high." But in fact booze is an extraordinarily soluble and efficiently delivered drug, as anyone who has downed a martini or two before dinner can well attest. "Unlike an alcoholic," Jonnes adds, "an addict was not only out of it while high, but also tended to be highly preoccupied in between drug sessions with securing his or her next dose or the money to purchase it." Last time I looked, our city streets were thronged with down-and-out drunks scuffling for their next bottle. Were they forced to secure that drink from extortionate gangs, our drunks might be even more "highly preoccupied."

This unwillingness to distinguish between intoxicants save on the basis of over-the-counter availability leads Jonnes down any number of blind alleys. For instance, citing *Dharma Lion*, Michael Schumacher's 1992 biography of Allen Ginsberg, Jonnes charges the Beat poet, a proponent of cannabis legalization, with "utter hypocrisy" for banning all drugs (including alcohol) at his farm to protect his companion, Peter Orlovsky. But Orlovsky's addiction was to heroin and methamphetamine, and Ginsberg "drew a careful distinction between the use of such addictive drugs as heroin and amphetamines and such nonaddictive drugs as marijuana and LSD," Schumacher more reliably reports. "In fact, a close look at Ginsberg's use of and attitudes toward drugs indicates that he was very consistent over the years."

Other such lapses do not inspire confidence in the rigor of Jonnes's research into an admittedly arcane and complex topic. There is no "peyote mushroom"; mescaline's source is cactus. Heroin is not "an essence of morphine"; only one of many semi-synthetic variants of morphine, it is favored by addicts because its superior fat solubility transports it more readily across that pesky blood–brain


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barrier. Neither is it true that morphine can only be injected, nor, again, that Pakistani and Afghani heroin is "streaming into the United States." Less than 10 percent of our junk originates in Southwest Asia; the vast bulk comes from Southeast Asia, with the balance from Mexico and, increasingly, Colombia.

To her credit, Jonnes is appropriately skeptical of the chest-beating antics of such antidrug hawks as longtime narcotics commissioner Harry J. Anslinger (who declared in the 1950s that "the answer to the problem is simple—get rid of drugs, pushers, and users") and William Bennett, President Bush's first "drug czar" (who endorsed the summary decapitation of drug dealers in the 1980s). Eschewing the fatuously triumphalist drug war rhetoric that rings down from Capitol Hill, she also concedes that "the drug culture always will be with us in some form."

But an insistently blinkered approach and an enthusiastic embrace of the counter-counterculture *kulturkampf* prevents Jonnes from asking, much less answering, some of the really interesting questions about the cultural tributaries that feed the drug dilemma. No question about it, drugs, especially the potent alkaloids, can cause a world of hurt to those who abuse them, those who love the abusers, and the wider community. Until we surrender all our democratic rights to a barbed-wire-girt police state, drugs will be available. Shouldn't a rational policy therefore seek, above all, a reduction in the hurt that these chemicals can cause? Does the current war on drugs meet that criterion? Or does it use deterrence to merely circumscribe the scope of the problem while profoundly worsening its impact on users by creating a black market?

An objective observer—viewing our present day from some far future, perhaps—could only be astonished by the hysteria fostered in this century by illicit drugs. Even so seemingly level-headed a president as Franklin Roosevelt was moved to suggest that narcotics addiction was "an even more serious offense against society than murder itself." But FDR was the chief executive who oversaw an end to alcohol prohibition. Directly and indirectly, alcohol today causes roughly 100,000 premature deaths every year from among America's 15 million problem drinkers, compared to a toll of about 25,000 exacted by illicit drugs. Tobacco accounts for a whopping 400,000 funerals annually. However unhappily, we seem somehow to cope with the ravages of drunk driving and lung cancer without shredding the Constitution or transforming our cities into armed camps. What prevents us from approaching the ills imposed by addictive use of other drugs with similar calm and steadiness of purpose?

Content to rail again and again against "that tired American romance with outlaws and sociopaths that celebrated outwitting authority of any kind," Jonnes points toward no original or thoughtful answers. The final irony, of course, is that the very repressive drug laws she so fervently endorses guarantee that the outlaws and sociopaths among us will always have a crowded stage upon which to play out this enduring American romance.

DAVID C. MORRISON *is a recovering heroin addict and former national security correspondent for* National Journal. *He is currently writing* Me and My Monkey: Confessions of a White Collar Dope Fiend.

# The Power to Prosecute

**By David Jackson**

THE ERA OF BIG GOVERNMENT may or may not be over, but federal law enforcement remains a growth industry, financed by Republicans and Democrats alike. As Jim McGee and Brian Duffy point out in their useful book, *Main Justice*, the U.S. Justice Department budget rose from $2.3 billion to $9.8 billion during the Reagan-Bush years; the number of federal prosecutors nearly doubled to 7,881. Since President Clinton's inauguration, the 1994 crime bill and the 1996 counter-terrorism law have given these prosecutors, now in excess of 8,000, more power to enforce an ever-growing list of federal laws.

**MAIN JUSTICE: The Men and Women Who Enforce the Nation's Criminal Laws and Guard Its Liberties**
*by James McGee and Brian Duffy*
Simon & Schuster, $25

"No federal entity wields more power that can more directly touch an American life than the Justice Department," the authors say. "The Central Intelligence Agency can dispatch spies and the Pentagon can launch cruise missiles, but the Department of Justice can eavesdrop on your phone conversations, search your home with a warrant or threaten you with federal prison."

And it is doing all of these things at record levels. In a rare look at how government really works, McGee and Duffy illustrate how the increased federalization of law enforcement has helped the government fight drug smuggling, violent crime, and terrorism—and how it has also produced troubling increases in wiretaps and ethical complaints against prosecutors. It seems that centralized crime fighting can both protect and undermine democracy. "If tyranny someday arrives in the United States, it will be accompanied by federal prosecutors and agents," the authors write. "If it is turned away, federal prosecutors and agents will be owed the nation's thanks."

McGee is an investigative reporter for *The Washington Post*, Duffy the investigations editor at *U.S. News & World Report* (and a fellow grad student of mine at Northwestern University many years ago). Both authors formerly worked at the *Miami Herald*, and many of their anecdotes are set in South Florida, where the hand of federal law enforcement is especially heavy.

McGee and Duffy give the feds high marks for successful investigations of the Cali drug cartel. And public demands to "do something" about violent crime have led to aggressive federal efforts against gangs, from the "Gangster Disciples Nation" of Chicago to "The Bottoms Boys" of Shreveport, La.

Many of these massive investigations rely on what the book describes as a record-setting pace of federal wiretaps. As McGee reported recently in *The Washington Post*, there were 340 court-approved federal wiretaps in 1992, the last year of the Bush pres-


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idency; that number is expected to exceed 700 this year, even as Congress debates granting more wiretapping powers in the wake of TWA Flight 800 and the Olympic bombing.

The rise of wiretapping, not to mention other types of investigative searches, underscores the growing and unprecedented power of federal law enforcement authority. "The full array of federal crime-fighting weaponry has created a force in the United States that was never contemplated by the framers of the U.S. constitution," the authors write.

Obviously, this kind of power can corrupt. McGee and Duffy report a troubling rise in the number of formal complaints against federal prosecutors—up 78 percent between 1992 and 1993. Worse, incidents of prosecutorial misconduct have forced judges to throw out cases, including prosecutions of the El Rukns gang in Chicago and a major payola case in southern California. Defense attorneys in the Oklahoma City bombing case have served notice that they will make government misconduct a major part of their case.

Like the power to tax, the power to prosecute can destroy. McGee and Duffy describe how Ed Meese's Justice Department filed pornography cases against individual companies in different federal jurisdictions; the idea was to get defendants fighting several cases at once, possibly bankrupting them.

The authors, however, are hopeful. They cite this comment by ex-Attorney General Griffin Bell: "In a democratic society people have to trust the government. Otherwise, you go under.... There are some honest people left."

DAVID JACKSON *is a staff writer for the Washington bureau of the* Dallas Morning News.

# American Exceptionalism

**By Gregg Easterbrook**

A POPULAR SUBJECT OF DEBATE within academic circles is "American exceptionalism," or why the United States declines to conform to academic theory. Exceptionalism is said to characterize America's relatively low level of class tension, versus the high level theoreticians expect. Exceptionalism is said to run through the U.S. labor movement, which differs from its European counterparts by rarely being violent, by praising market economics and by supporting military policy. (European strikers still routinely skirmish with riot police, destroy equipment, and shut down essential public services—tactics safely tenured academic theoreticians seem to look on with nostalgic longing, but that American labor leaders consider irresponsible. As for hard-hat support of the Vietnam War—or the labor states of Illinois, Michigan, and Ohio twice voting for Reagan—labor scholars find such defection too painful for words.) Whatever it is, exceptionalism is invoked to explain why Americans are more religious than Europeans, why they trust individual initiative more than government, why they rarely resent wealth, and various other departures from what contemporary social psychoanalysis predicts capitalist culture should be like.

**KINDRED STRANGERS: The Uneasy Relationship Between Politics and Business in America**
*by David Vogel*
Princeton University Press, $29.95

Exceptionalism in state–business relations is the subject of *Kindred Strangers*, an admirable and amenable, if slow-moving, book by David Vogel, a professor of business ethics at Berkeley. In Europe, government and corporations have cozy shared-bed relationships built on the statist model of capitalism. European corporate leaders employ the state to plow the road for them in more ways than one, while legislatures pass few restrictions that business leaders have not privately assented to: The typical European CEO views government as a patron. In the United States, by contrast, business leaders almost uniformly despise government, and relations with regulators are adversarial. The sorts of business–politics interactions that in Europe are done in the back room over Armagnac are, in America, done in lawsuits and at press conferences.

Why do American business leaders have such hostile intercourse with the political sphere? Vogel roots his answer in the 19th century. "The 1840s and 1850s are the critical period in the history of the American business system," he writes. Then, business worked without government alliance, unlike in Britain or the Netherlands, where crown-chartered corporations were the great money-makers, and government sanction was the corporate baron's mark of status. American business allowed itself to be led by politics briefly during the Civil War, Vogel writes, but


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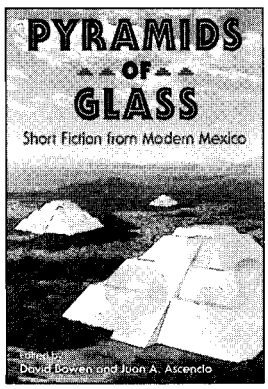


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returned to hands-off relations as soon as that conflict ended. In the older and relatively stable societies of Europe, plutocrats wanting to forge monopolies looked to government connections to do the dirty work for them. In the new and tumultuous United States, the tycoons of the Gilded Age were able to fashion monopolies on their own, without having to cut government in on the deal. As the late-19th-century economy began to hum, "the emerging industrial elites began to outgrow the need for government participation in economic development."

At the same time, Vogel believes, American democracy made business leaders fear that the public—what turn-of-the-century aristocracy sneered at as "mass man"—would devour them by ballot. Democracy was what 19th-century American business leaders dreaded: Legislatures beholden to the mass man might take down the trusts for reasons unrelated to Marxist theoretics. Fearing this, American business leaders adopted a view of government that boiled down to "See you in court." In response, U.S. regulatory practice became litigious. Legalistic regulations gave business leaders a grievance about which to moan, and the system started downhill to its current belligerent norm.

*Kindred Strangers* does a skillful job of covering the oddities of relations between American business and politics, including the heavy-handed ways in which corporations buy legislative influence, and the irony that consumers sometimes oppose consumer protection. The book suggests the United States would be better off with European-style business–government relations, although it generally avoids calling this idea "industrial policy," a phrase that has been losing appeal since it came to imply Dukakis-style monotony.

Vogel's example of superior business–government relations is British environmental policy. In the United Kingdom, "courts and the national legislature play a relatively minor role in shaping environmental regulations." Lawsuits regarding environmental initiatives are rare, as are anti-environmental lobbying campaigns by business. There are few statutes on pollution control; regulators have the authority to impose emission reductions, but are told to use their discretion on the details. Working in a generally collegial style, British regulators have been prompting industry to reduce its pollution output since the venerable Alkali Inspectorate (sounds like a Monty Python sketch) was established in 1874 and given sanction to impose whatever strictures it deemed appropriate.

Basically, it seems the English regulate pollution using the Philip Howard solution. Howard's 1995 book *The Death of Common Sense* was widely misinterpreted as maintaining that America ought to get rid of bureaucrats. Actually, what Howard wrote is that America ought to get rid of regulations—the fine-print prescriptive kind. Howard's solution would give government officials more authority by allowing them to reach their own conclusions about what ought to be permitted or forbidden. The Alkali Inspectorate, not the Federal Court of Appeals, would be the paradigm.

Needless to say, the current American approach differs. Extremely complex federal statutes dictate the specifics of pollution control, leaving regulators little discretion. Lawsuits abound. Antagonism is the essence of all environmental policy. Not only does the law assume that business can never be trusted, but during the 1980s, when Ronald Reagan's Environmental Protection Agency was twiddling its thumbs, Congress passed a number of statutes that assume regulators cannot be trusted either. Called "hammer" provisions, they mandate that if federal agencies do not impose certain rules by certain dates, courts will impose them.

Hammer regulations have driven antagonism between business (especially small business) and government to an all-time high on many aspects of conservation policy, because they are tailor-made for generating lawsuits and automatically offend all sides with the presumption that no one can be trusted. EPA Administrator Carol Browner recently told me that hammer rules force her to spend about 80 percent of her time responding to court orders; in many areas she would like to make environmental policy more flexible, but cannot because of the wording of laws. And absurdly enough, in the current political milieu, many interest groups prefer this outcome. Keeping ecology policy a realm of nasty confrontation assures right-wing factions of red-tape outrages about which they can become lathered, and environmental lobbies of corporate intransigence about which to cry doom.

But does all this mean we'd be better off with the British solution? Vogel's argument here is not fully compelling. He notes that the United Kingdom has broadly reduced pollution in the past 25 years, but does not note that the rate of reduction has been even more rapid in the United States. The American approach to environmental protection may be expensive—costing nearly 2 percent of the U.S. GDP, according to the Organization for Economic Cooperation and Development figures, versus about 1.2 percent in Britain—but it generates the world's best results. Nearly all forms of U.S. pollution have declined more rapidly than the pollution levels in other Western countries—a fact the left doesn't like to mention because it dilutes the sense of doomsday, and the right doesn't like to mention because it confirms that federal health and safety regulations really can do good. Switching to the British mode of pollution control might make an aspect of public affairs more congenial, but it would also slow progress. For instance, the United States banned leaded gasoline in 1977 and required automobile catalytic converters for smog reduction on all cars in 1980. Britain didn't get around to these advances until 1993.

The paradox inherent in American business–government relations is that although they are based on mutual antagonism, America nevertheless manages to have the world's most vibrant economy. It's hard not to conclude that the tense political–business boundary in the United States has some beneficial effect, forcing corporate leaders to stay on their toes and remain self-reliant. Of course the system would be better served by fewer lawsuits and more cooperation, especially in areas such as pollution control, where nearly all nonpartisan analysts have long recommended a more flexible federal approach. But overall,


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maybe exceptionalism isn't so bad.

GREGG EASTERBROOK *is a contributing editor of* The Atlantic Monthly *and author of* A Moment on the Earth.

# Immoral Autonomy

**By E. Fuller Torrey**

FIVE YEARS AGO IT BECAME CLEAR to me that we were in big trouble. A psychiatrist friend who works at St. Elizabeth's Hospital told me about a young man who was a patient on his ward. The man was known to be HIV-positive and, despite admonitions, was having sexual relations with several female patients, some of whom were not psychiatrically competent. The psychiatrist had been told that under no circumstances was he or any other staff member to warn the women involved that the man was HIV-positive because of issues of privacy and possible legal action by the man. To protect one person's autonomy and rights, the rights—and perhaps in the long run lives—of other persons were to be sacrificed.

**THE PERVERSION OF AUTONOMY: The Proper Uses of Coercion and Constraints in a Liberal Society**
*by Willard Gaylin and Bruce Jennings*
Free Press, $25

*The Perversion of Autonomy* is about this "big trouble," and it is an excellent introduction to the issues involved in "the intersection of interdependence and autonomy, of individual rights and mutual responsibility." The book's thesis is that "the morality of interdependence and mutual responsibility has been clashing with respect for autonomy with increasing frequency and harshness for the past thirty years, and that autonomy has won in these clashes too often.... The autonomy of the individual represents America's greatest moral strength and now, peculiarly, its most insidious moral danger.... There can be no free society without individual autonomy, and there can be no sustainable society that rests on autonomy alone."

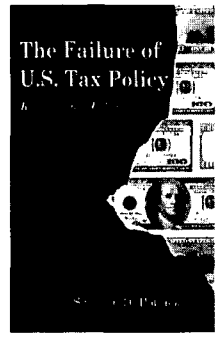
Gaylin and Jennings argue that in the name of autonomy, "mentally ill patients were granted their freedom to defecate, urinate, sleep, starve, freeze, murder, and be murdered in the streets of our larger cities." The authors decry the abuse of the insanity defense in cases such as Lorena Bobbitt, who cut off her husband's penis, or the Menendez brothers, who murdered their parents. Coercion is sometimes necessary, they conclude, "and the only real question is what kind of coercion it will be and on what psychological foundations it will rest." Newborn babies should be screened for AIDS because "society not only has a right to protect the unknowing from infection, it has an obligation to do so." And they defend the drug testing and treatment of pregnant women.

Liberals in particular revile coercion; as the authors note, it's "one of the negative words in our social vocabulary that possesses a magic power of moral disapprobation by its mere utterance." Gaylin and Jennings unfortunately give short shrift to two of the major influences on the perversion of autonomy: the American Civil Liberties Union (ACLU) and psychoanalytic theory. The ACLU is described in a single sentence as having played "the central moral role of holding that banner [autonomy] aloft;" it surely deserves more than a sentence. Similarly, Freudian theory, psychoanalysis, and its multiple offshoots in contemporary culture that promote individual autonomy over the rights of others deserve close scrutiny for their pernicious influence. Gaylin, himself a trained psychoanalyst, is understandably reluctant to undertake this investigation, but the omission is unfortunate.

Such delicate treading aside, this book is significant because, within the confines of traditional liberal ideology, it is politically incorrect. Gaylin and Jennings assert that "liberals have been making a serious mistake in the past few years when they have concluded that this pluralism [of American society] precludes any serious consideration of the individual or the common good." In fact much of *The Perversion of Autonomy* would fit comfortably into the Heritage Foundation, Manhattan Institute, or other conservative think tanks. There is an emerging consensus from all points on the political spectrum that autonomy in American society has run amok, and this book nicely demonstrates some of the common ground on which specific solutions can be built. (Truth-in-reviewing laws require me to add that in their book the authors praise one of my own books.)

*The Perversion of Autonomy* does have shortcomings. The portion of the book devoted to actual case studies is disappointingly meager compared to


**The Failure of U.S. Tax Policy**
*Revenue and Politics*
SHELDON D. POLLACK

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that devoted to historical and philosophical overviews. In particular, I would have liked to hear the authors' specific recommendations on how coercion should be structured and implemented in the examples they discuss. For example, for the mentally ill homeless, do they support the policy implemented by New York's former mayor Ed Koch to have the homeless mentally ill individuals involuntarily hospitalized for trials of medication? How long should such a person be held for such trials? Do they support outpatient commitment laws for such individuals? Injectable medications? Urine testing to ensure medication compliance for oral medications? A national law to ensure enforcement of outpatient commitment if the committed individual goes across state lines? These are the real-life issues that must be addressed when coercive policies are actually implemented. The authors give general guidelines for thinking about such questions, but it would have been better to provide some illustrative, detailed workings-through.

Also missing from the discussion are comparisons of the use of coercion in other medical problems. For example, we do not let individuals with Alzheimer's disease wander in the snow without adequate footwear, because we realize that they will get frostbite. We provide structure, including locked doors when needed, because we realize that they have a disease of their brain. Yet when we think about using coercion for individuals with other brain diseases such as schizophrenia or bipolar disorder, we encounter much resistance. Similarly, our society had no problem in years past in isolating and, when necessary, forcibly detaining individuals with tuberculosis, smallpox, or other infectious diseases that may be fatal. When similar mechanisms are proposed for individuals with AIDS who are intentionally exposing other individuals to the virus, we also encounter great resistance. Discussing such comparisons would have been helpful.

Despite such shortcomings, *The Perversion of Autonomy* is an important book. The authors state that "we have tried to write a book that is questioning rather than ideological," and they have succeeded. It can be viewed, like many books, as a glass half full or half empty. Its contribution to discussion of the issues of autonomy and community should ensure that it will be viewed in retrospect as half full, and when one is thirsty, that is often enough.

E. FULLER TORREY, M.D., *is a research psychiatrist in Washington, D.C. His most recent book,* Out of the Shadows: Confronting America's Mental Illness Crisis *will be published in October.*

# Common Sense Republicanism

**By Fred Grandy**

IF YOU PICK UP *REFLECTIONS OF a Radical Moderate* hoping for some juicy scuttlebutt about the four different cabinet departments Richardson has headed, or the inside scoop about any of the administrations he has served in, or even the last word on Richard Nixon's 1973 firing of special Watergate prosecutor Archibald Cox, you will be frustrated. *Reflections* is not so much a memoir as it is a book of manners, or in some instances, a moral tract about the conduct of public service, the proper motivations behind it, and the reasons its practice has fallen so low in popular esteem.

**REFLECTIONS OF A RADICAL MODERATE**
*by Elliot Richardson*
Random, $24

Richardson's writing style at once reflects his patrician upbringing and classical education as well as his extensive background as a bureaucrat. In other words, the book often reads like congressional testimony—uncommonly formal, verbose, and, every so often, stodgy. You won't find many soundbites in Richardson's tumescent prose. He writes for serious students of public policy who understand the fragile relationship between principle and pragmatism that ultimately determines genuine leadership. Ideologues and noisy partisans will find little worth keeping in the measured deliberation of these essays.

Richardson is clearly adamant about hearing all arguments on an issue, rendering a judgment based on the dispassionate analysis of fact, and then tolerating the points of view he opposes. With this kind of chronically fair-minded approach, it is even more astonishing that none of Richardson's employers ever thought to make him a judge.

He has done almost everything else: cabinet secretary at the Departments of Commerce and Health, Education, and Welfare; Attorney General; U.S. attorney; diplomat; special envoy; Defense Department official; even a misbegotten U.S. Senate campaign in Massachusetts during the 1984 Republican primary. In one of the book's very few private asides, Richardson wistfully reminisces about his campaign against supply-side economics during the height of Ronald Reagan's popularity.

*Reflections of a Radical Moderate* is a good book, but not because it breaks new ground. Most of what Richardson concludes in his essays we already know. Near the end of the book he zeroes in on the hypocritical expectations that drive our present political system and our aversion to the truth about the problems afflicting our society. "Rather than face up to really hard problems like the self-perpetuating cycle of inner-city poverty, despair, joblessness, and violence—we allow ourselves to be diverted by such secondary issues as abortion, school prayer, or term limits.... And when, on top of all these, we're told we can have it both ways—a balanced budget and tax cuts, global leadership and the avoidance of sacrifice, better government and contempt for the bureaucracy—the disconnection between representation and reality has become all but unbridgeable."

These notions are "radical" only in that we are unwilling to hear them from our elected officials. It is no wonder that Elliot Richardson was asked to address neither the Republican nor the Democratic conventions this August. And it is unlikely you will see him on "Meet the Press" or "This Week with David Brinkley" anytime soon. So if you want to know what else he has to say, you'll just have to buy his book. When you do, turn first to page 199 and review the attributes for a "true public servant." Two in particular should jump out at you—"unflinch-


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ingly accepts responsibility" and "does not try to shift blame to others."

Hold those thoughts for November.

FRED GRANDY, *a former Representative from Iowa, is chairman and CEO of Goodwill Industries.*

# The Corporate War on Free Speech

**By Robert Weissman**

IN 1980, RICK WEBB, AN ENVIRONMENTAL activist in West Virginia, complained about DLM Coal Corporation's poisoning of an area river. The company was already known as a "high violator," in the words of one federal inspector, and shortly after Webb reported the problem to the Environmental Protection Agency, the EPA issued a formal notice of intent to revoke DLM's strip mine license. DLM responded not only by defending itself against the EPA notice, but by suing Webb for $200,000 for "defamation."

**SLAPPS: Getting Sued for Speaking Out**
*by George W. Pring and Penelope Canan*
Temple University Press, $24.95

In other words, Webb got "SLAPPed"—hit with what University of Denver professors George Pring and Penelope Canan call a "Strategic Lawsuit Against Public Participation," a suit brought in the guise of slander, libel, tortious interference with contract, or other legal claims, but ultimately intended to punish someone who speaks out on a public controversy.

As it happened, DLM's suit backfired; the West Virginia Supreme Court threw it out within a year, using strong language that would deter future SLAPPs in the state. Unfortunately, many SLAPP stories do not end so happily. Local business, development, or other interests frequently succeed in taking a terrible toll on citizen leaders who speak out on important public issues and, more broadly, in exerting a chilling effect on entire communities' First Amendment rights.

Consider the case of Brenda Hill. When she discovered that she and her husband could not get a mortgage because their real estate company had not paid taxes owed on their house, she reported the tax-cheating company to the Washington state government. Encouraged by a tax collector, she uncovered hundreds of thousands of dollars in unpaid taxes by the company on approximately 300 homes—taxes later collected by the state. The Robert John Real Estate Company SLAPPed Brenda Hill and her husband with a defamation suit, compounding the injury by telling neighbors that the Hills were responsible for some of them losing their homes and having their credit damaged. The stress of the suit, vociferous attacks from the real estate company, and the neighborhood ostracism devastated the Hills. Six years after the episode began, a jury found the Hills not guilty of slander.

The Hill case is instructive, because it illustrates just how insidious SLAPPs are. Hill won the SLAPP in the courtroom, but she lost in the real world. Robert John punished her for challenging its power, sapped her energy and resources in a drawn-out court battle, and issued a powerful warning to other citizens: Speak out at your own risk.

The message of SLAPPs "is unmistakable," Pring and Canan write: "There is a price to be paid for voicing one's views to the government. The price can be a multimillion-dollar lawsuit, which, even if successfully defended, can mean enormous expense, lost time, insecurity, risk, fear, and all the other stresses of extended litigation. SLAPPs threaten the very future of 'citizen involvement' or 'public participation' in government...."

Such strident rhetoric is not hyperbolic, given the proliferation of SLAPPs documented by Pring and Canan. In the last 12 years, they have tracked SLAPPs filed over a letter written to the U.S. president, as an outgrowth of a neighborhood dispute over a tennis court, and by numerous government officials.

Defining SLAPPs may be the authors' most important contribution. Pring and Canan regard all SLAPPs as First Amendment matters, which is critical; it allows judges to dismiss the SLAPPs quickly without the fact-intensive scrutiny required of slander or business interference cases. (Did he really call her a liar and a cheat, and if so, did he do so with malice, and if so, is she really a liar and a cheat?) Such fact-intensive scrutiny at the very least requires extended pretrial discovery, and, typically, a full-blown trial.

Pring and Canan's definition suggests their proposed solutions to SLAPPs. First, judges should recognize SLAPPs for what they are, and quickly dismiss them. Second, SLAPP targets must define the suits as First Amendment issues, and they should look to file "SLAPPback" suits, alleging abuse of process. Some SLAPPbacks have led to verdicts running into the millions of dollars—surely the best deterrent to SLAPP filing. (To the concern that SLAPPbacks are as abusive of the democratic process as SLAPPs, Pring and Canan retort that SLAPPbacks do attempt not to quell participation in government, but to vindicate constitutional rights.) Finally, the authors support legislation that would establish rapid review of SLAPP claims and shift the burden of proof to the filer.

About the only criticism the book merits is that the authors do not convey a full sense of the drama of a SLAPP, the palpable fear it can engender, the real trauma it can inflict. But what it lacks in emotion the book makes up for with analytic rigor and a rare combination of comprehensiveness and accessibility.

ROBERT WEISSMAN *is editor of the Washington, D.C.-based* Multinational Monitor.

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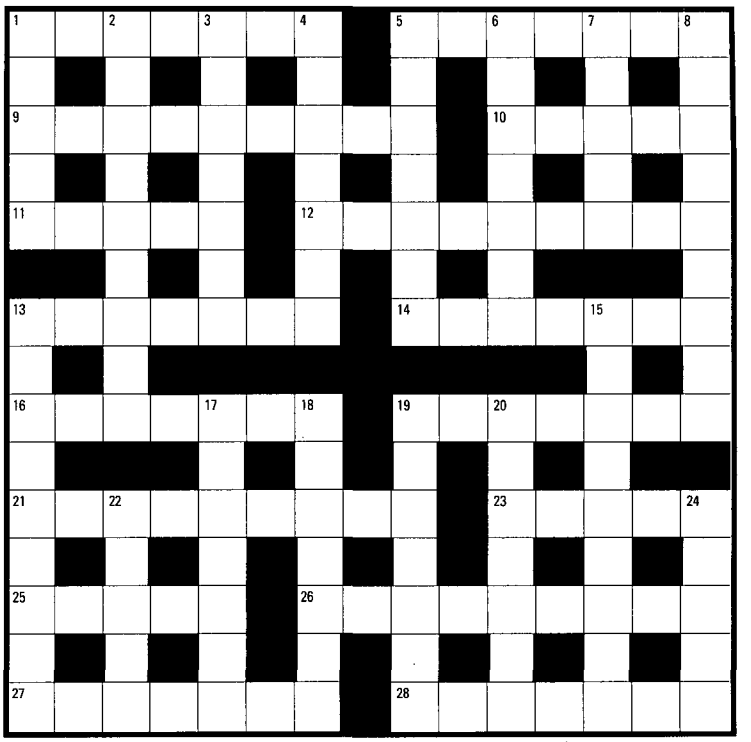
# Political Puzzle

**By John Barclay**



The numbers indicate the number of letters and words—thus (2,3) means a two-letter word followed by a three-letter word. Groups of letters, such as USA, are treated as one word.

## Across

1. Putting last of talc in footwear is political issue. (7)
5. & 1 Down. The French best follow game campaign appearances. (7, 5)
9. Financial impropriety favored TR in a way. (9)
10. Columnist's classic style? (5)
11. Athlete taking risk around start of event. (5)
12. Homer's cat mutilated old-style garment. (9)
13. Cheer near the exhibition. (7)
14. Ruler changing is an art. (7)
16. Tin ears turned worse. (7)
19. Fickle Greek character list. (7)
21. Wildly exotic pen is a rarity. (9)
23. Favorite monarch is a rabbit. (5)
25. Approve in retrospect new era for divided country. (5)
26. Confused reign seen for Georgia Tech team. (9)
27. Campaign features strange beast following Asner back. (7)
28. Giants regrouped after end of September for scores. (7)

## Down

1. See 5 Across.
2. Crime as an arrangement for November voters. (9)
3. French scholar performing odd rite. (7)
4. A lion is about representative. (7)
5. Lacking uranium in two-hit performance. (7)
6. Midwest location of popular recent divorcee. (7)
7. Rocky Mountain church light. (5)
8. Shaking erotic axe to flay someone. (9)
13. Dominated deep neck massage after end of bath. (3, 6)
15. Intermediate Benet wine blend. (2, 7)
17. Novel MIT plan for prosthesis. (7)
18. Pirates' assistant in short lines. (7)
19. A German worked for the boss. (7)
20. Headdress from rear resembles weight drug containing potassium. (7)
22. Native American taking taxi around Rhode Island. (5)
24. Users performed tricks. (5)

**Answers to last month's puzzle**

| | | | | | | | | | | | | | | |
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| C | A | N | D | I | D | A | T | E | | V | O | T | E | R |
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| R | | R | | P | | E | | O | | O | | M | | I |
| I | N | E | R | T | | N | E | W | S | P | R | I | N | T |
| C | | S | | | | D | | | | R | | T | | E |
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| D | E | F | I | A | N | T | | O | V | E | R | E | A | T |
| U | | O | | R | | E | | R | | R | | S | | E |
| P | A | R | T | Y | | N | O | M | I | N | A | T | O | R |



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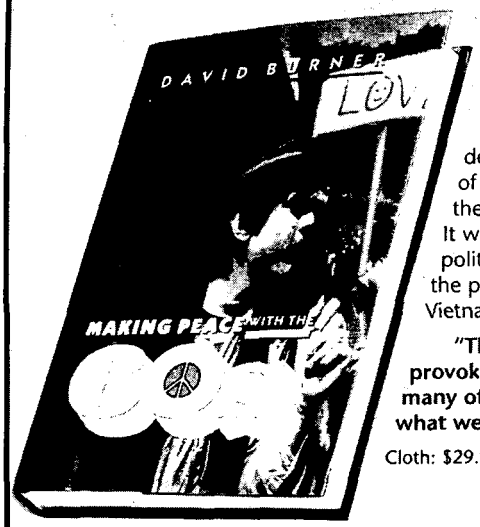


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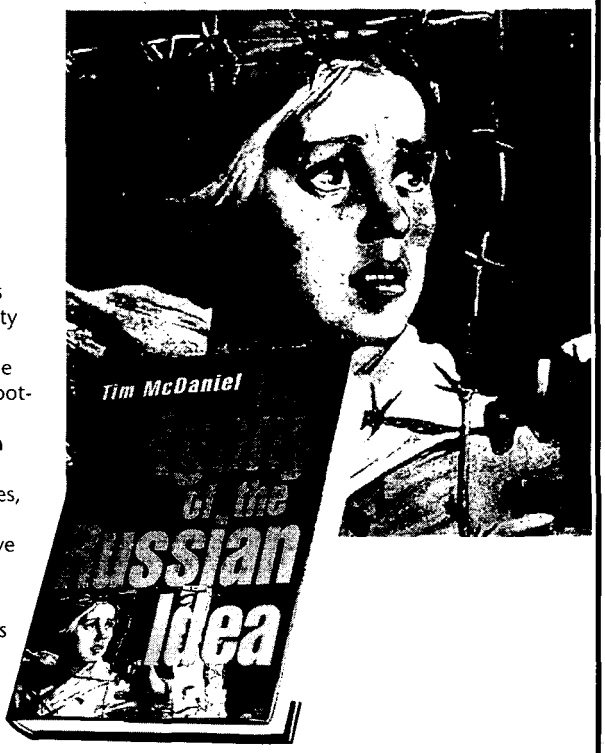


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